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# **RUSSIAN RAILWAY SERVICE CORPS**

**PROVIDING AN HONORABLE DISCHARGE FOR THE MEMBERS OF,  
FROM THE MILITARY SERVICE OF THE UNITED STATES**

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## **HEARING**

**BEFORE THE**

## **COMMITTEE ON MILITARY AFFAIRS**

**HOUSE OF REPRESENTATIVES**

**SIXTY-SEVENTH CONGRESS**

**SECOND SESSION**

**ON**

**S. 28**

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**TUESDAY, JANUARY 17, 1922**

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### **STATEMENTS OF**

**Mr. C. T. SPEAR, St. Paul, Minn.**

**Mr. R. S. BEST, Beardstown, Ill.**

**Mr. W. J. BARRON, Washington, D. C.**

**Mr. C. A. DECKER, Washington, D. C.**



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**HOUSE OF REPRESENTATIVES.**

**SIXTY-SEVENTH CONGRESS.**

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## HONORABLE DISCHARGE FOR MEMBERS OF RUSSIAN RAILWAY SERVICE CORPS.

COMMITTEE ON MILITARY AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
*Tuesday, June 20, 1922.*

The committee met at 10.30 o'clock a. m., Hon. John C. McKenzie (acting chairman) presiding.

Mr. McKENZIE. Gentlemen of the committee, this day has been set apart to hold further hearings on Senate bill 28, which is a bill providing for the men and officers in the Russian Railway Service Corps, the status of enlisted men and officers of the United States Army when discharged. A hearing was held on this particular bill by the chairman on the 17th day of January last, at which time a number of representatives of this corps, including our friend Mr. Spear, of St. Paul, were present and made statements, which are found printed in the little pamphlet before you. Inasmuch as it is alleged—and without any criticism, it seems to me, and there may be some justification for it—that this corps was not organized as a part of the military organization, the members of the corps contending that they were led to believe that they were entering the military service of the United States, the members of this committee have felt that it ought to be given further consideration, and that, perhaps, in the files of the State Department and War Department there might be certain correspondence or communications that would throw some light on this subject.

In order that the committee might have full information on both sides of the question, I took the liberty of asking the State Department, and, also, the War Department to send their representatives here this morning to make statements to the committee. I also served notice of the hearing on the representatives of the corps, so that they might be present and make any further statements that they desired to make after they had heard the representatives of those departments. I will first call on Mr. Poole, representing the State Department. Mr. Poole, perhaps, you would prefer to go ahead and make a statement in your own way covering this subject. You know what the committee is considering and we will be glad if you will give such information as you may have found in the files of the Department.

### STATEMENT OF MR. DE WITT C. POOLE, CHIEF DIVISION OF RUSSIAN AFFAIRS, STATE DEPARTMENT.

Mr. POOLE. Mr. Chairman, your letter to the Secretary of State was referred to me, with instructions to make a careful examination of the records of the State Department for this information. I might say that I was not in the State Department at the time this corps was organized. I have also read the hearing which occurred at the last meeting of the committee, and, as you suggest, I will try to give you the information that the committee seems to desire. I first bring to your attention, as giving the background of the story leading up to the organization of this corps, a telegram which was addressed by the Secretary of State to the American ambassadors at London, Paris, and Rome, in September, 1918. This telegram reviews the events leading up to our connection with railroad operations in Siberia, and I think it will give you in the most succinct form the general information you desire. It has been printed as a public document, and I can leave a copy of it with the committee. If you desire, I will read to you what seem to me to be the pertinent portions.

Mr. McKENZIE. You can do that and submit the copy to the reporter.

Mr. POOLE. This was in effect a communication from the Government of the United States to the principal allied Governments in September, 1918, and reads as follows:

[Paraphrase of telegram.]

SECRETARY OF STATE TO THE AMERICAN AMBASSADORS AT LONDON, PARIS, AND ROME,  
SEPTEMBER 13, 1918.

One of the first problems which confronted the provisional government of Russia after the revolution of March, 1917, was the improvement of the food supply. The revolution had been precipitated by the demand of the people on the streets of Petrograd for food. After a temporary improvement, however, the situation, after the revolution, began to grow worse than it had been before. It was generally agreed that the total supplies of food in the country were adequate for the population, but that the machinery of distribution was collapsing.

This disheartening condition was due primarily to the railways. The situation was brought to the attention of this Government by the American ambassador at Petrograd and was further enlarged upon informally and unofficially by Mr. Stanley Washburn, now major in the United States Army, upon his return from Russia in the spring of 1917. During the spring and summer of that year it is also understood that both the British and French Governments were agreed upon the seriousness of the railway situation and the assistance which might come from America owing to the close parallel between general railway problems in America and in Russia, where, in both countries, questions of long haul were the rule and not the exception.

The establishment of democratic principles in Russia had been welcomed by this Government and by the people of the United States. It was felt that a first step in bringing the prevailing sentiment of sympathy for Russia to some concrete expression might well take the form of helping the Russian people improve their railway systems, especially that system of connecting lines known as the Trans-Siberian Railway.

After serious reflection and deliberation, the President, with the knowledge and approval of the provisional government of Russia, determined to send a railway advisory commission of five experts of the first rank, who should study, first of all, the Trans-Siberian system, and prepare themselves to offer such advice and counsel as the railway administration of Russia might express a wish to receive.

The commission, consisting of Messrs. John F. Stevens, W. L. Darling, G. A. Greiner, G. Gibbs, and H. Miller, arrived at Vladivostok the first part of June, 1917, and, after a brief inspection of the enormous quantities of accumulated munitions and other material at that port, proceeded across Siberia in a special train provided by the Russian railway administration and made a sound survey of conditions as they passed. They were then put in touch with the minister of ways of communication and his assistants at Petrograd. At the request of the minister they not only informed him fully as to their recommendations in regard to the Trans-Siberian Railway, but also undertook to inspect conditions in the Donetz Basin and report on the railways to Archangel and Murmansk. As they completed their special studies, the members of the commission in turn came back to the United States with the exception of Mr. Stevens. He remained and was established in the ministry of ways of communication in the capacity of special advisor, in the expectation that he might assist in carrying into actual operation the measures which the commission had agreed with Russian officials were vital.

It was at this time that the provisional government of Russia requested that a corps of American railway engineers, organized to constitute skeleton division units as known in this country, should be formed here in the United States and enter the service of the provisional government of Russia. The plan was to establish these engineers in an advisory capacity along the different sections of the Trans-Siberian line. Upon entering the service of the provisional government, that government undertook to meet all expenses of maintenance and subsistence of the men of whatever character. The Russian Railway Service Corps was thereupon organized by selecting picked engineers from different American railways and left the United States the 1st of November, 1917.

The Bolshevik revolution having occurred while they were in transit to Vladivostok, they were unable, in view of unsettled conditions, to enter at once upon their duties. At the request of the Russian ambassador at Wash-

ington they were therefore retained in Japan until an opportunity appeared for them to make a start. This opportunity came in March, 1918, when about 110 of these engineers were sent to the Chinese Eastern Railway, operating from Harbin as a base; the balance, consisting of about 90 men, were recently sent to Vladivostok.

The American ambassador at Tokio has been instructed to suggest to the Japanese Government and also to inform fully his colleagues representing the Governments of the Allies, the opinion of this Government that Mr. John F. Stevens, chairman of the railway advisory commission to Russia and official advisor of the Russian Ministry of Ways of Communication should undertake the effective operation of the different sections of the Trans-Siberian Railway and its branches, with the assistance of the American engineers in the service of Russia, known as the Russian Railway Service Corps, in conjunction with Russian railway officials and personnel and in cooperation with the Allies. In making such a suggestion the Government of the United States is simply carrying out its original purpose to assist the Russian people in the vital matter of transportation when it sent a railway advisory commission to Russia in June, 1917, and, at the request of the provisional government of Russia, organized the Russian Railway Service Corps in September, 1917. It does not consider that either the Bolshevik movement or the presence of international military assistance in Siberia or in Manchuria has modified the previously existing rights of Russia or of China. At the same time it is evident that, at least for the present, military operations must be facilitated and that the actual movement of trains must be governed accordingly.

Mr. Stevens is not only one of the leading railway engineers of the United States, but also proved his high capacity in the earlier stages of the building of the Panama Canal. He has now been more than a year in Russia, during which time he has been a constant student of Russian railway problems and conditions. The majority of the engineers under him have obtained some experience of actual operation and some of his subordinates have established contact with the personnel of the Trans-Baikal and Tomsk Railways and the sections of the Trans-Siberian line farther west in Siberia and European Russia. Both he and his colleagues undertook their responsibilities with a clear sense of duty. They will continue their work in the same spirit.

The Government of the United States believes it necessary, and a part of frank understanding with the allied Governments and the people of Russia, to state definitely and without any reservations whatever, that it disclaims all purpose to obtain any interest or control in the railways of Russia. Such a purpose is not only foreign to this Government but would not be tolerated by the people of the United States. Mr. Stevens and his associates are the agents of the Russian people. The Russian Railway Service Corps will continue to be maintained from Russian funds at the disposal of the Russian Ambassador at Washington until such time as their service may be either continued or concluded by established authorities in Russia.

You may bring this matter, to which this Government attaches great importance, to the attention of the Government to which you are accredited and emphasize the responsibility which the Government of the United States obligated itself to assume in order to secure the effective operation of the railways for Russia and for the service of the present military assistance in Siberia without prejudice to any previously existing legal, political, or other rights by whomsoever held.

LANSING.

As you are aware, the Chinese Eastern is a part of the Trans-Siberian Railroad.

Mr. McKENZIE. It was under the control of the Russian Government at that time?

Mr. POOLE. At that time it was; yes, sir.

Mr. CROWTHER. Who was our ambassador to Russia at that time?

Mr. POOLE. Our ambassador at Petrograd was Mr. Francis, of Missouri.

Mr. CROWTHER. Who was the Russian ambassador here?

Mr. POOLE. At the time this telegram was sent, Mr. Bor's Bahkmeteff was the Russian ambassador here—the one who has now departed.

This telegram was sent in September, 1918, almost a year after this corps was organized. I have selected this telegram to read to you because it gives the most succinct official account of what had preceded it. The telegram was for the purpose of initiating conversations with the other governments with a

view to some common action which would preserve and improve the railroad system of Siberia, with the ultimate view, of course, of defeating Germany.

Mr. QUIN. Who were paying these railroad employees at that time?

Mr. POOLE. At that time they were being paid by the Russian Government. That was the original idea.

Mr. MILLER. Who sent this telegram?

Mr. POOLE. It was signed by Mr. Lansing.

Mr. MILLER. What is the date of it?

Mr. POOLE. September, 1918.

Mr. MILLER. It seems to be a report of what had been done.

Mr. POOLE. It was for the purpose of laying the whole situation before the allied Governments with a view to making proposals to them. It was dated September 13, 1918.

Mr. CROWTHER. Before the armistice was signed?

Mr. POOLE. Yes, sir.

Mr. CROWTHER. Do you know whether or not the last administration loaned the Trans-Siberian Railroad \$5,000,000 during the war?

Mr. POOLE. I have not looked it up, but I can say of my own knowledge that no such loan was made.

Mr. CROWTHER. Did not former President Wilson lend them \$5,000,000?

Mr. POOLE. No, sir; as a result of this telegram that I have been reading, or as a result of the negotiations which followed it, an international arrangement was made to continue the operation of this railroad, to which the United States contributed \$5,000,000, and the other Governments contributed various amounts, the other principal Government contributing being Japan.

Mr. QUIN. Did Mr. John F. Stevens hold a commission in our Army?

Mr. POOLE. No, sir; I believe not, but I would rather have the War Department representatives to answer as to that. However, according to my information, he did not.

As I was saying, I selected that telegram because it is the most succinct official statement that I could find on the subject. As explained in the telegram, Mr. John F. Stevens was then in Russia in an advisory capacity to the Russian Government, and it was his suggestion primarily that this corps of engineers should be organized.

Mr. QUIN. Whom was Mr. Stevens representing?

Mr. POOLE. He was an agent of this Government. He went to Russia at the invitation of the Russian Government, and served in an advisory capacity to them.

Mr. QUIN. As a matter of fact, he was the direct representative of the United States Government in that capacity, was he not?

Mr. POOLE. I would not like to say that he was a representative of this Government, because that has a special meaning.

Mr. QUIN. He had the scope or authority under his agency to get our railroad boys over there, did he not?

Mr. POOLE. He was acting in an advisory capacity to the Russian Government.

Mr. QUIN. Who sent these railroad men over there?

Mr. POOLE. The authorities at Washington.

Mr. QUIN. The United States Government then sent them over there?

Mr. POOLE. Yes, sir; upon an understanding with the Russian Government.

I have examined the correspondence very carefully to find what occurred here at Washington, and I have gained the impression that a great deal was done orally. Of course, all this was during war times, and things were done rapidly. These questions seem to have fallen principally within the purview of Mr. Daniel Willard, who at that time was on the Advisory Commission of the Council of National Defense, and I have found in the correspondence of the State Department one or two letters addressed by Mr. Willard to the Secretary of State which throw some light on what was in Mr. Willard's mind as to the status of this corps. If you wish, I will read some excerpts from these letters.

Mr. MCKENZIE. We will be glad to have you do so.

Mr. POOLE. Mr. Willard wrote the Secretary of State on September 20, 1917, requesting the Secretary of State to transmit to Mr. John F. Stevens, who was then at Vladivostok, certain telegraphic messages. The only important part of this communication is as follows:

"Arrangements are being made rapidly as possible to raise, equip, and forward units of railroad men you ask for. Will also send 100 mechanics, as requested by Professor Lomonosoff, to erect new locomotives at Vladivostok.

The second part of this message is not important, but the first sentence indicates that Mr. Willard undertook, at Mr. Stevens's suggestion, to organize that corps of engineers.

Mr. PARKER. What was that statement?

Mr. POOLE. It reads, "arrangements are being made rapidly as possible to raise, equip, and forward units of railroad men you ask for."

Mr. Willard's letter to the Secretary of State reads, in part, as follows:

"The matters referred to were taken up at once with the Secretary of War, as chairman of the Council of National Defense, and he has authorized that the force requested by Mr. Stevens be raised and sent to Russia as soon as possible as a part of the engineering forces of the Army. I understand that perhaps 100 men of this force will be ready to leave within the next two weeks."

I thought that was important as indicating what Mr. Willard had in mind at that time. Thereafter, on October 18, 1917, Mr. Willard again wrote the Secretary of State, in part, as follows:

"Mr. George Emerson, now general manager of the Great Northern Railway, is to be given a commission as lieutenant colonel of Engineers and will go to Russia with some 300 railroad officers and skilled mechanics. They will leave this country as soon as they can obtain uniforms."

The first definite statement that I find in the records of the State Department indicating specifically that this corps was not an integral or definite part of the United States Army was a telegram sent to Mr. Stevens by Mr. Felton, director of military railroads, dated February 21, 1918, or about five or six months after the letters of Mr. Willard which I have just read were written. This cablegram said in part:

"Russian Railway Service Corps are not officers of regular Army but hold special certificates of identity setting forth their status, including treatment, if captured by enemy."

I do not know whether it would be of interest to you to know that subsequently the Secretary of State telegraphed Mr. John F. Stevens, on September 27, 1918, that the War Department had ruled that no insurance could be allowed under the law while the Corps were in the service of Russia. On December 2, 1918, the Secretary of State telegraphed Mr. John F. Stevens that the War Department had given General Graves, commanding the American Expeditionary Force in Siberia at that time, discretionary authority to sell clothing to the members of the Russian Railway Service Corps for their personal use abroad and to furnish them with medical treatment and supplies upon the same basis as the Army.

I have only to add that, as is disclosed by what I have already read to you, this Corps was to have been supported entirely by the Russian Government. Of course, as you know, very soon after the Corps was organized, and while yet in transit to Russia, the last recognized Russian Government was overthrown and the Bolshevik régime took its place. That created a break in the continuity of relations between this country and Russia. The payment of the corps up to November, 1918, was made by the Russian Railway Mission to the United States out of funds furnished by the Russian Embassy from general resources, a part of which were credits which had been given by this Government, and which are a part of the existing claims of this Government against Russia. That is to say, for about one year after the Bolshevik revolution, the Russian representatives in this country continued to support the corps out of funds at their disposal. From November, 1918, to July, 1919; that is to say, for about eight months following, they were paid by the Russian railway mission in this country, but that was only nominal, because the funds were actually furnished by the so-called interallied technical board, which had been set up in the meantime at Harbin. The funds of this board were derived principally from the Governments of the United States and Japan, China also contributing a small amount. Those were the funds you [Mr. Crowther] referred to a short time ago. Since July, 1919, the Russian Railroad Service Corps, which, as you know, has been greatly reduced in size, has been supported directly from funds of the interallied technical board.

Mr. CROWTHER. You say that they were for some time in Japan?

Mr. POOLE. Yes, sir.

Mr. CROWTHER. What did they do there?

Mr. POOLE. Nothing. It was a trying situation to have to be detained there. They had gone in the hope that they would be able to begin operations in Siberia.



Mr. CROWTHER. They did not suffer materially, did they?

Mr. POOLE. They did not suffer, except, I suppose, mentally, because of their inactivity at that time.

Mr. QUIN. You can say that it was not an agreeable experience to go through with.

Mr. POOLE. That is true. I find that the Secretary of State, Mr. Bainbridge Colby, wrote Senator Wadsworth on May 27, 1920, when the same bill you have here was before the Senate committee, as follows:

"I would bespeak the committee's favorable consideration for this body of men who have worked loyally under harassing physical and psychological conditions for the maintenance of American prestige and interests."

I would like to add that in the State Department we have the very greatest admiration and appreciation for the work of the Russian Railway Service Corps, and for their contribution to American prestige in that part of the world. We have no doubt that the fruit of what they have done will be garnered at various times in the future in the development of better relations between this country and Russia.

Mr. CROWTHER. Are any of those men over there now?

Mr. POOLE. I believe there are about six.

Mr. CROWTHER. Who is retaining them?

Mr. POOLE. The so-called interallied technical board, which is a continuing interallied arm. They are continuing to finance the corps out of the remainder of funds that were given to them during the war.

Mr. MCKENZIE. Is it your idea that if this bill were enacted into law it would make the six men in this service at the present time have the status of soldiers?

Mr. POOLE. I am not competent to answer that.

Mr. QUIN. What was that question?

Mr. MCKENZIE. I asked him whether or not the boys who are still over there as members of this corps would be given a military status by the passage of this legislation three or four years after the war?

Mr. POOLE. If you will ask Mr. Decker, he may be able to tell you.

Mr. QUIN. The bill says when honorably discharged. The bill provides for that, and there should be no contention about it. How many were over there in the service actually undergoing hardships?

Mr. POOLE. The actual beginning of their work was in March, 1918, and they have been continued in diminishing numbers up to this time.

Mr. QUIN. They had on the American uniform, did they not?

Mr. POOLE. I understand so.

Mr. MILLER. Do you know whether the small number of men over there now were a part of the original force sent over, or are they recruits who have been sent over since?

Mr. POOLE. Three are new recruits.

Mr. WURZBACH. What was the compensation of the officers and enlisted men, or were they only officers?

Mr. POOLE. Only officers. The compensation is set forth in the former hearing before the committee.

Mr. CROWTHER. They were all officers?

Mr. POOLE. Yes, sir.

Mr. PARKER. In the telegram of Mr. Felton, of February 21, 1918, he said that these men were not officers of the United States Army, but held special certificates of identity. Have you a copy of that certificate?

Mr. POOLE. I presume that could be obtained. A copy of that certificate appears as Exhibit A, on page 21 of the former hearing.

Mr. QUIN. These men left fine jobs over here, and did not go over there simply on a venture, or in order to be traveling?

Mr. POOLE. My own personal impression is that this was during war times, when everyone wanted to do his bit, and here was their opportunity.

Mr. QUIN. They were performing a valuable service?

Mr. POOLE. Yes, sir.

Mr. CROWTHER. Is it not also true that these men received salaries that approached as nearly as possible the salaries that they were drawing in civilian employment at the time they went into the service? They did not leave good jobs to get \$30 per month, like the private soldiers, but they were allowed compensation in proportion, or in some comparison, with the salaries that they were earning as civilians.

Mr. POOLE. That was gone into rather fully in the previous hearings.

Mr. PARKER. I believe you said that the payments to these men were made directly in Russia?

Mr. POOLE. I believe the payments were made to their families in this country. The pay rolls were made up in this country, and the payments were made directly to their families. The men were cared for abroad.

Mr. PARKER. Were those pay rolls handled by the State Department or the War Department?

Mr. POOLE. They will go to the State Department. Mr. Decker, to whom I have referred repeatedly in this matter, is connected with the interallied technical board and is directly in charge with the administration of all these matters.

Mr. PARKER. Those pay rolls had to be returned by the men who made the payments to some department?

Mr. POOLE. They are either in the files of the State Department or in the files of this interallied technical board. Eventually they will be delivered to the State Department when the technical board ceases to exist.

Mr. PARKER. It is not a national organ?

Mr. POOLE. It is the interallied technical board.

Mr. PARKER. That is for financing relief work?

Mr. POOLE. It has to do purely with railroad operations, with the ultimate purpose of affording relief since the war. Before the war it was for the purpose of maintaining military effectiveness.

Mr. PARKER. Do you mean before the end of the war?

Mr. POOLE. Yes, sir; before the end of the war.

Mr. PARKER. It was to maintain military effectiveness during the war?

Mr. POOLE. Yes, sir.

Mr. PARKER. And since the war, it exists for relief purposes?

Mr. POOLE. It is a question of maintaining the effectiveness of the transportation system. Of course, before the armistice the object was to maintain military effectiveness.

Mr. PARKER. Your telegram related a good deal to famine conditions.

Mr. POOLE. Yes, sir; but the famine also related to the morale of the Russian people, which in turn had its military effect. You will recall that at that time the object was to maintain the so-called eastern front against Germany.

Mr. WURZBACH. Do you understand that under the provisions of this bill these men in the Russian railway service would have the benefits of the retirement law that applies to Regular Army officers?

Mr. POOLE. I am not competent to form an opinion on a matter of that kind. That would involve a knowledge of military law.

Mr. WURZBACH. I notice this language in the bill:

"And also as to benefits under the war risk and war compensation act and other service benefits on the same terms and conditions as honorably-discharged enlisted men and officers of the Army."

Mr. POOLE. May I suggest that the War Department representatives who are present can answer that question. I am not competent to form an opinion in regard to that.

Mr. QUIN. In this certificate of appointment, this language is used: "You are hereby appointed in the Russian Railway Service Corps, organized under authority of the President of the United States." These railway employees were sent there in a special corps under the direction of the President of the United States in time of war. That is the fact, is it not?

Mr. POOLE. Yes, sir.

Mr. QUIN. In addition, these men had on the uniform of the American Government, as soldiers.

Mr. POOLE. Yes, sir.

Mr. QUIN. They also were allowed medical supplies, etc., according to the telegrams you read from the State Department, such supplies to be furnished by the United States Government.

Mr. POOLE. Yes, sir.

Mr. QUIN. Now, the funds out of which they were paid were interallied funds of the United States Government and of one or two of the allied Governments in the war.

Mr. POOLE. Yes, sir, at one time. Previously they were paid by the Russian Government.

Mr. QUIN. And those men were often shot at and captured, were they not, according to the records?

Mr. POOLE. They certainly were doing precarious duty. Whether any of them were actually captured or shot at or not I can not answer, but it was a precarious duty.

Mr. QUIN. It was one of the most vital and essential duties in that area during the World War, was it not?

Mr. POOLE. They had to keep the railroad transportation lines open so as to get food and military equipment to the army. It was of the utmost importance.

Mr. QUIN. They could not have operated without somebody of experience and ability who was willing to undergo that danger in order to operate those railroad lines?

Mr. POOLE. That is correct.

Mr. QUIN. What is the objection to having the men in that corps, and who were in the service of the United States Government, given the status of any other soldiers that had on the uniform of the United States Government during the war?

Mr. POOLE. So far as the State Department is concerned, there is no objection. The attitude of the State Department, so far as I am authorized to speak for it, is this: The department is fully appreciative of the service these men performed, and believes that they should receive every possible consideration, but as to whether this particular bill should be passed or not, is, of course, a question that you must decide. As to the particular form that our appreciation of these men shall take, that is another matter.

Mr. QUIN. These men volunteered their services to go over yonder, 6,000 or 7,000 miles away, did they not? My friend over there said that they were paid good salaries, but they left their families at home here, and they went over there in a most dangerous part of the world, and did not know whether they would ever see daylight again. This was a voluntary enlistment, in a special corps, was it not?

Mr. POOLE. It was a voluntary enlistment; yes, sir.

Mr. MCKENZIE. I would like to ask a question at this point for the sake of the record: It is true, and I think we all admit it, that these men went voluntarily into this service, and we all admire them for it, but it is also true that they could voluntarily leave the service at any time, could they not?

Mr. POOLE. There was no legal obstacle, I suppose, but, I presume, there was a moral obstacle.

Mr. MCKENZIE. In other words, they would not be placed in the category of deserters if they asked to have their resignations accepted?

Mr. POOLE. No, sir. In that connection I would like to read from one more telegram I have here, if I may. You will recall that the corps was held inactive for a considerable period of time, which was hard on the morale of the men.

Mr. CROWTHER. Were any of those men subject to the selective draft law?

Mr. POOLE. I can not answer as to that. I believe there was a statement that for the most part they were not so subject. A considerable number of them were married, and a considerable number were more than 30 years of age.

Mr. MCKENZIE. The majority of them were married men, probably.

Mr. MILLER. I think that angle was gone into in the other hearing.

Mr. POOLE. In November, 1918, after the corps had been held inactive for many months the Secretary of State addressed the following telegram to Mr. John F. Stevens, who was then at Harbin:

"The Department appreciates your courage and patience through tedious negotiations and wishes you to tell the men of the Russian Railway Service Corps that their maintenance of good conduct and discipline under exceptionally trying circumstances has aroused the department's admiration and respect and is worthy of the best traditions of American representation abroad, as already exemplified by the American Army forces in Europe and in Siberia. This Government considers that an important part of its obligation to assist Russia and the Russian people is represented by its undertaking to organize the Russian Railway Service Corps. You may say also to the men that the Department hopes that their prolonged inactivity will be terminated shortly."

Mr. CROWTHER. Where were they during the period that this refers to? Were they in Japan for a year?

Mr. POOLE. They were in Japan and, for the most part, aboard ship.

Mr. CROWTHER. They were not being shot at, as Mr. Quin suggests, and hounded, struggling, and all that sort of thing?

Mr. POOLE. Not at that time, but they were subject to moral strain.

Mr. CROWTHER. They had a year in Japan.

Mr. POOLE. I would not say in Japan but they were aboard ship in a Japanese port.

Mr. CROWTHER. Well, they were on shore leave? It is not likely they kept them on board ship all the time.

Mr. POOLE. No; but when they were in Vladivostok they were kept aboard ship owing to conditions ashore, but I do not imagine they were kept aboard ship all the time in Japan.

Mr. QUIN. It seems as though Brother Crowther thinks this railroad corps was on a pink-tea expedition.

Mr. CROWTHER. I am talking about the year they were in Japan. This letter refers to the time they were in Japan and I am referring to the specific time mentioned in this letter, the time they were in Japan.

Mr. QUIN. You do not dispute the fact of their being attacked by bandits?

Mr. CROWTHER. There is no record of it at all, that they were attacked, shot, or that anyone was killed or captured. There is nothing in the record to that effect. I do not want you to put anything in the record that is not a fact.

Mr. QUIN. In what record?

Mr. CROWTHER. In this record. We have had full hearings and if any had been captured or shot at it would be in the hearings.

Mr. POOLE. As to the time they were inactive, I should like to have that brought out precisely by Mr. Spear or some gentleman who has direct personal knowledge of it, because I am speaking only from a general survey of the situation.

Mr. MCKENZIE. If that is all we are obliged to you.

Mr. WURZBACH. Do you know how long they were in Japan?

Mr. POOLE. I could not tell you precisely the period. I know they were inactive in the Far East for about a year and that they were in Japan for several months, but I could not give you the precise information.

Mr. MCKENZIE. At any rate, that is only an incident and is not material to the issue.

Mr. POOLE. At any rate, they were held inactive.

Mr. MILLER. And were trying to get to the front.

#### **STATEMENT OF MAJ. D. H. TORREY, ON DUTY WITH THE PERSONNEL DIVISION, GENERAL STAFF.**

Mr. MCKENZIE. Major, we will be glad to hear from you in connection with the War Department's interest or part in this matter.

Major TORREY. I should like to preface my remarks with the statement that the information I am about to give you is based entirely upon the records which I have found; that is to say, that I had no direct working connection with this force, and the information I have has been procured from the records of the War Department.

Mr. MCKENZIE. We shall be glad to hear your record evidence.

Major TORREY. The first information I was able to find in the early organization of this corps is contained in some notes of a conference held in Washington, D. C., on September 18, 1917.

"Present: Professor Lomonosoff; Alphonse I. Lipetz; S. M. Felton; S. M. Vauchain."

This document is signed by those gentlemen and, in substance, it states:

"Mr. Lipetz will prepare and send to Mr. Felton a classification of the ranks of the various railroad men concerned.

"Mr. Felton will send to Mr. Lipetz a list of the officers selected."

Mr. QUIN. Who was Mr. Lipetz and what position did he hold?

Major TORREY. He signed himself as chief, locomotive department, Russian mission of ways of communication.

"Men sent from the United States must have corresponding military rank with the present officers of the Russian railways in order that no confusion or question of authority may arise."

Mr. MILLER. Read that again, please.

Major TORREY (reading). "Men sent from the United States must have corresponding military rank with the present officers of the Russian railways in order that no confusion or question of authority may arise."

Mr. CROWTHER. Did they have a military organization in charge of these Russian railways?

Major TORREY. I have no information other than that stated here.

Mr. PARKER. They were officers of the railways; I do not know whether they were military officers or not.

Mr. MILLER. Well, they must have had corresponding rank.

Mr. CROWTHER. Corresponding military rank.

Mr. MILLER. It does not say military rank.

Mr. CROWTHER. Yes, it does.

Mr. MILLER. Does it say military rank?

Major TORREY. Yes, sir.

"The Russian Government will pay the railway men from the United States salaries as may be determined by Mr. Felton for the rank they occupy, depositing the same monthly in such bank as may be designated by the individual. In addition thereto, when in Russia, the Americans will be paid such additional allowances as may be necessary to enable them to meet their expenses, and which allowances will be determined by Mr. Stevens, the chairman of the railway commission, in conference with the Russian railway authorities in Russia."

Then it quotes a cablegram sent to Mr. Stevens, as follows:

"See yours August 13. Professor Lomonosoff suggests two foundry foremen, two machine foremen"—

I might state that this has no bearing on it and I will omit it if you desire.

Mr. MCKENZIE. You may omit it. We do not care for anything that is not material.

Major TORREY. This has a pertinent bearing on the choosing of the colonel.

"Louis W. Hill, president Great Northern Railway, St. Paul, Minn., telegraphed for his consent to the assignment of G. H. Emerson to duty in Russia as a member of the American Railway Commission."

The second page gives a list of the different subdivisions of this unit, general superintendents, superintendents, chief train dispatchers, etc., and it gives a total of 210.

The next document I found bearing on this question was a letter from Mr. Willard, addressed to General Scott, as follows:

WASHINGTON, D. C., September 18, 1917.

MY DEAR GENERAL SCOTT: In conference with the Secretary of War yesterday he authorized the raising and equipping of approximately 250 railway officers to go to Russia at once upon request of Mr. John F. Stevens, chairman of the railroad commission now in that country, to act as instructors of various divisions of the Russian Railroad. The Secretary of War instructed that Mr. S. M. Felton, working in conjunction with the Chief of Engineers of the Army, should arrange the details of these men. Mr. Felton advises me to-day that he can get the men together on short notice and send them within the next three or four weeks, providing they can be furnished with uniforms, and I am bringing the matter to your attention hoping you may be in position in some way to take care of this part of the program.

Very sincerely yours,

D. WILLARD.

Maj. Gen. H. L. Scott,

Chief of Staff, U. S. A.

I next find a memorandum for the Secretary of War from the Chief of Engineers, reading as follows:

SEPTEMBER 21, 1917.

Memorandum for the Secretary of War:

I have been informed by higher authority that arrangements have been made by the Russian ambassador for the United States Government to send to Russia about 240 railway operating and shop officials for use on the railways in Russia as instructors, and further, that it is considered very desirable that these men have a military rank and grade corresponding to the grades held by similar officials now in the Russian employ. Further, that the Russian Government has

agreed to pay these men such compensation as may be deemed fair and equal in every respect to what they received for similar work in the United States, and that these men are to be selected and prepared for transportation abroad by the Director General of Railways under the Engineer Department.

From the best information available, the men of the following grades will be required: One colonel; 2 lieutenant colonels; 12 majors; 24 captains; 48 first lieutenants; 85 second lieutenants; 60 sergeants.

I am informed that under the law all officers and enlisted men of the United States Army must be paid by the United States and can not receive any additional compensation from any foreign government unless specially authorized by Congress. The Russian Government proposes to pay the above-named officials sums quite different from the pay pertaining to corresponding grades in the United States Army. It would appear, then, that it will be necessary to appoint these men as officials in a special corps in a manner similar to that recently adopted for the American Red Cross.

I would recommend that a corps, to be known as the Russian Railway Service Corps, be authorized, and that the Director General of Railways be authorized to select the officials, and that they be commissioned in that corps in the same manner as commissions were lately issued for the Red Cross, all salaries and expenses of all kinds to be borne by the Russian Government.

W. M. BLACK,

*Brigadier General, Chief of Engineers.*

Approved:

BAKER.

[First indorsement.]

War Department, Adjutant General's Office, September 22, 1917—to the Chief of Engineers, inviting attention to the approval of the Secretary of War indorsed on this page.

By order of the Secretary of War:

L. A. OUBY, *Adjutant General.*

Mr. MILLER. What is the date of that?

Major TORREY. This is dated September 21, 1917.

Mr. PARKER. Can you make any statement as to what was done about the Red Cross? They say they are to be commissioned as the Red Cross. Have you any history of that?

Major TORREY. Well, sir; I think I can bring that out in connection with the uniforms they wore and from later correspondence I can read.

#### TITLES, ASSIMILATED RANK, AND UNIFORM IN FOREIGN COUNTRIES CONSTITUTING THE THEATER OF ACTIVE WAR.

26. The President, having been directed to employ all the resources of the Government in the prosecution of the war, the existence of which was recognized by the joint resolution of the Senate and House of Representatives, April 6, 1917, has accepted the cooperation and assistance of the American National Red Cross with the land and naval forces of the United States, under the provisions of the act of Congress approved April 24, 1912, and also the extension by the American National Red Cross of its humanitarian services of the armies and to the civilian population of countries now at war with the Imperial German Government.

27. To facilitate the discharge of their authorized functions, duly qualified members other than units, sections, and individuals accepted for service by the War Department and incorporated in the commissioned or enlisted strength of the Medical Department of the Army (pars. 6-8, Regulations Governing the Employment of the American Red Cross, Dec. 18, 1916), are recognized by titles with assimilated rank and for appropriate duties, as shown in the following table:

## OFFICIALS.

Grade.	Title.	Assimilated rank.	Duties
1	Chairman central committee. (Chairman war council.)	Major general.....	Indicated by title.
2	Members of war council. Vice chairman central committee.	Brigadier general..... do.....	Do. Do.
3	Director general.....	Colonel.....	1. In charge civilian relief. 2. In charge military relief.
4	Assistant director general..... Commissioner.....	Lieutenant colonel..... do.....	1. Indicated by title. 2. Directors of certain bureaus. 3. Other duties of like importance.
5	Director.....	Major.....	1. Commissioners to any theater of war (as France, Italy, Russia, etc.). 2. Representing American National Red Cross at Army or corps headquarters; at headquarters of line of communications or base abroad; or at a divisional camp or cantonment in the United States. 3. Base hospitals. 4. Supply depots. 5. Other duties of like importance.
6	Assistant director.....	Captain.....	1. Representing the American National Red Cross with any detachment of the Army less than above.
7	do.....	First lieutenant.....	2. Storekeeper. 3. Assistant to any official of higher grade. 4. Adjutant or quartermaster of a base hospital. 5. Other duties of like importance.

## EMPLOYEES.

8	Secretary.....	Sergeant major.....	Clerical.
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## RED CROSS BASE HOSPITALS.

9	Red Cross master hospital sergeant.	Master hospital sergeant, Medical Department.	Base hospitals.
10	Red Cross hospital sergeant..	Hospital sergeant, Medical Department.	Do.
11	Red Cross sergeant, first class.	Sergeant, first class, Medical Department.	Do.
12	Red Cross sergeant.....	Sergeant, Medical Department.	Do.
13	Red Cross corporal.....	Corporal, Medical Department.	Do.
14	Red Cross cook.....	Cook, Medical Department.	Do.
15	Red Cross private, first class.	Private, first class, Medical Department.	Do.
16	Red Cross private.....	Private, Medical Department.	Do.
17	Red Cross laborer.....	do.....	Any duty imposed.

28. Officials (grades 1-7, inclusive) will be nominated by the chairman of the war council, and, if properly qualified, will be given commissions signed by the Secretary of War and countersigned by the chairman of the war council. These commissions confer no military authority, obligation, or other incident attached to rank or office, nor any right to pay or allowances of similarly described grades in the United States Army. They serve as certificates of identity authorized by paragraph 5 of the proclamation by the President published in General Orders, No. 170, War Department, 1911. They indicate to members of the land and naval forces that officials of the assimilated rank indicated in their respective commissions are persons in whom the Commander in Chief and the American National Red Cross have confidence and for whom the above authorities enjoin cooperation in the discharge of their functions and that courtesy and respect due to persons designated for such important duties to humanity.

29. Warranted employees (grades 8-13, inclusive) will be appointed by the proper superiors of the American National Red Cross, being given warrants signed by officials designated by the American National Red Cross.

Employees (grades 14-17, inclusive) will be given certificates of identity signed by officials designated by the American National Red Cross.

The same restrictions upon military authority, obligations, pay, allowances, etc., described in paragraph 3 as applicable to commissions, apply to warrants and certificates of identity.

30. To avoid the presence in European theaters of war of persons who may not be acceptable to the authorities of any foreign government or in whose loyalty there may not be placed undoubted confidence by the Government of the United States as well as of such Governments, the name, residence, and former employment of each member of the American National Red Cross below grade 7 who is to be sent abroad will be furnished to The Adjutant General of the Army for transmission to the Chief, War College Division of the General Staff Corps. If employed abroad, similar information will be furnished the commanding general, United States forces in France.

31. Pursuant to authority conferred by section 125 of the act of Congress approved June 3, 1916, the American National Red Cross is designated by the Secretary of War as an organization the members of which are permitted to wear their prescribed uniforms; in this case, the uniform of the United States Army, or such other uniform as may be recommended by the American National Red Cross and approved by the Secretary of War.

32. As insignia of title and assimilated rank the following distinctive marks are prescribed, to be worn as indicated:

(a) On cap, hat, or helmet.

Grades 1-7, inclusive: Greek cross in red enamel above the coat of arms of the United States in bronze metal.

Grades 8-17, inclusive: Greek cross in red enamel.

(b) On both sides of collar of coat or shirt.

Grades 1-17, inclusive: The letters U. S. in bronze metal and Greek cross in red enamel, placed as are the U. S. and corps insignia of officers of the Army.

(c) On both sleeves of coat or shirt, midway between the elbow and the end of sleeve.

Grade 1: Horizontal band of blue cloth,  $\frac{1}{2}$  inch in width about the arm. Two stars of silver metal, 1 inch apart and 1 inch above the band, and a Greek cross of red cloth 1 inch above the interval.

Grade 2: Same as 1, with one star 1 inch above center of band, in lieu of two stars.

Grade 3: Five bands of blue cloth, each  $\frac{1}{2}$  inch in width and  $2\frac{1}{2}$  inches in length, midway between elbow and end of 1 inch above the band, and a Greek cross of red cloth 1 inch above center of upper band.

Grade 4: Same as 3, with four blue bands.

Grade 5: Same as 3, with three blue bands.

Grade 6: Same as 3, with two blue bands.

Grade 7: Same as 3, with one blue band.

When dress uniform is worn, bands will be of gold braid instead of blue cloth.

Grades 8-14: Of same forms and in same positions as prescribed for chevrons of similar grades of the enlisted strength of the Army, but of dark-blue cloth with Greek cross in red cloth 1 inch above each chevron.

Grades 15-17: Greek cross of red cloth on sleeve midway between shoulder and elbow.

33. Uniform and insignia will be supplied by the American National Red Cross.

34. The use of military titles, rank, and uniform is authorized only for the American National Red Cross representatives actually in foreign countries constituting the theater of active war.

[G. O. 82.]

General Orders, No. 82.]

WAR DEPARTMENT,  
Washington, July 5, 1917.

1. The President, having been directed to employ all the resources of the Government in the prosecution of the war, the existence of which was recognized by the joint resolution of the Senate and House of Representatives, April 6, 1917, has accepted the cooperation and assistance of the American National



Red Cross with the land and naval forces of the United States, under the provisions of the act of Congress approved April 24, 1912, and also the extension by the American National Red Cross of its humanitarian services to the armies and to the civilian population of countries now at war with the Imperial German Government.

2. To facilitate the discharge of their authorized functions, duly qualified members other than units, sections, and individuals accepted for service by the War Department and incorporated in the commissioned or enlisted strength of the Medical Department of the Army (pars. 6-8, Regulations Governing the Employment of the American Red Cross, Dec. 18, 1916) are recognized by titles with assimilated rank and for appropriate duties, as shown in the following table:

## OFFICIALS.

Grade.	Title.	Assimilated rank.	Duties.
1	Chairman central committee	Major general .....	Indicated by title.
	Chairman war council.....	.....do.....	Do.
2	Members of war council.....	Brigadier general.....	Do.
	Vice chairman central committee.	.....do.....	Do.
3	Director general.....	Colonel.....	1. In charge civilian relief. 2. In charge military relief.
4	Assistant director general.....	Lieutenant colonel.....	1. Indicated by title. 2. Directors of certain bureaus.
	Commissioner.....	.....do.....	3. Other duties of like importance. 1. Commissioners to any theater of war (as France, Italy, Russia, etc.).
5	Director.....	Major.....	1. Directors of certain bureaus. 2. Representing American National Red Cross at Army or corps headquarters: at headquarters of line of communications or base abroad; or at a divisional camp or cantonment in the United States.
6	Assistant director.....	Captain.....	3. Base hospitals. 4. Supply depots.
7	.....do.....	First lieutenant.....	5. Other duties of like importance. 1. Representing the American National Red Cross with any detachment of the Army less than above. 2. Storekeeper. 3. Assistant to any official of higher grade. 4. Adjutant or quartermaster of a base hospital. 5. Other duties of like importance.

## EMPLOYEES.

8	Secretary.....	Sergeant major.....	Clerical.
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## RED CROSS BASE HOSPITALS.

9	Red Cross master hospital sergeant.	Master hospital sergeant, Medical Department.	Base hospitals.
10	Red Cross hospital sergeant..	Hospital sergeant, Medical Department.	Do.
11	Red Cross sergeant, first class.	Sergeant, first class, Medical Department.	Do.
12	Red Cross sergeant.....	Sergeant, Medical Department.	Do.
13	Red Cross corporal.....	Corporal, Medical Department.	Do.
14	Red Cross cook.....	Cook, Medical Department.	Do.
15	Red Cross private, first class.	Private, first class, Medical Department.	Do.
16	Red Cross private.....	Private, Medical Department.	Do.
17	Red Cross laborer.....	.....do.....	Any duty imposed.

3. Officials (grades 1-7, inclusive) will be nominated by the chairman of the war council, and, if properly qualified, will be given commissions signed by the Secretary of War and countersigned by the chairman of the war council. These

commissions confer no military authority, obligation, or other incident attached to rank or office, nor any right to pay or allowances of similarly described grades in the United States Army. They serve as certificates of identity authorized by paragraph 5 of the proclamation by the President published in General Orders, No. 170, War Department, 1911. They indicate to members of the land and naval forces that officials of the assimilated rank indicated in their respective commissions are persons in whom the Commander in Chief and the American National Red Cross have confidence and for whom the above authorities enjoin cooperation in the discharge of their functions and that courtesy and respect due to persons designated for such important duties to humanity.

4. Warranted employees (grades 8-13, inclusive) will be appointed by the proper superiors of the American National Red Cross, being given warrants signed by officials designated by the American National Red Cross.

Employees (grades 14-17, inclusive) will be given certificates of identity signed by officials designated by the American National Red Cross.

The same restrictions upon military authority, obligations, pay, allowances, etc., described in paragraph 3 as applicable to commissions, apply to warrants and certificates of identity.

5. To avoid the presence in European theaters of war of persons who may not be acceptable to the authorities of any foreign Government or in whose loyalty there may not be placed undoubted confidence by the Government of the United States as well as of such Governments, the name, residence, and former employment of each member of the American National Red Cross below grade 7 who is to be sent abroad will be furnished to The Adjutant General of the Army for transmission to the Chief, War College Division of the General Staff Corps. If employed abroad, similar information will be furnished the commanding general, United States forces in France.

6. Pursuant to authority conferred by section 125 of the act of Congress approved June 3, 1916, the American National Red Cross is designated by the Secretary of War as an organization the members of which are permitted to wear their prescribed uniforms; in this case, the uniform of the United States Army, or such other uniform as may be recommended by the American National Red Cross and approved by the Secretary of War.

7. As insignia of title and assimilated rank the following distinctive marks are prescribed, to be worn as indicated:

(a) On cap, hat, or helmet.

Grades 1-7, inclusive: Greek cross in red enamel above the coat of arms of the United States in bronze metal.

Grades 8-17, inclusive: Greek cross in red enamel.

(b) On both sides of collar of coat or shirt.

Grades 1-17, inclusive: The letters U. S. in bronze metal and Greek cross in red enamel, placed as are the U. S. and corps insignia of officers of the Army.

(c) On both sleeves of coat or shirt, midway between the elbow and the end of sleeve.

Grade 1: Horizontal band of blue cloth,  $\frac{3}{4}$  inch in width about the arm. Two stars of silver metal, one inch apart and one inch above the band, and a Greek cross of red cloth one inch above the interval.

Grade 2: Same as 1, with one star one inch above center of band, in lieu of two stars.

Grade 3: Five bands of blue cloth, each  $\frac{1}{2}$  inch in width and  $2\frac{1}{2}$  inches in length, midway between elbow and end of one inch above the band, and a Greek cross of red cloth one inch above center of upper band.

Grade 4: Same as 3, with four blue bands.

Grade 5: Same as 3, with three blue bands.

Grade 6: Same as 3, with two blue bands.

Grade 7: Same as 3, with one blue band.

When dress uniform is worn, bands will be of gold braid instead of blue cloth.

Grades 8-14: Of same forms and in same positions as prescribed for chevrons of similar grades of the enlisted strength of the Army, but of dark blue cloth with Greek cross in red cloth one inch above each chevron.

Grades 15-17: Greek cross of red cloth on sleeve midway between shoulder and elbow.

8. Uniform and insignia will be supplied by the American National Red Cross.

9. The use of military titles, rank, and uniform is authorized only for the American National Red Cross representatives actually in foreign countries constituting the theater of active war.

[081, A. G. O.]

By order of the Secretary of War:

TASKER H. BLISS,  
Major General, Acting Chief of Staff.

Official:

H. P. MCCAIN,  
The Adjutant General.

THE PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all who shall see these presents, greeting:*

Know ye, that reposing special trust and confidence in the patriotism, valor, fidelity, and abilities of ———, I do appoint him ——— in the service of the American National Red Cross, with assimilated rank of ——— in the Army of the United States, to rank as such from the ——— day of ———, 19——. He is therefore carefully and diligently to discharge the duty of the office to which he is appointed by doing and performing all manner of things thereunto belonging.

And I do strictly charge and require all members and agents of the American National Red Cross under his command to be obedient to his orders as ———. And he is to observe and follow such orders and directions, from time to time, as he shall receive from the authorities of the American National Red Cross, or the officers of the Army or Navy who may be set over him, according to the rules and discipline of war when the American National Red Cross is engaged in assisting the armed forces of the United States.

This commission to continue in force during the pleasure of the President of the United States and of the American National Red Cross for the time being.

Given in the District of Columbia this ——— day of ———, in the year of our Lord one thousand nine hundred and ———.

By the President.

—————, Secretary of War.  
THE AMERICAN NATIONAL RED CROSS,  
By ———, Chairman.

Mr. PARKER. It is all right if you are going to get to that. Of course, commissions in the Regular Army go through the Senate.

Major TORREY. In the Regular Army, yes, sir.

Mr. PARKER. And also in the emergency Army or the United States Army during the war.

Major TORREY. No. General officers were confirmed by the Senate but officers below the grade of general officers were appointed by the President.

Mr. PARKER. During the whole war?

Major TORREY. Yes, sir.

Mr. MCKENZIE. That is always true in time of war, is it not?

Major TORREY. Yes, sir; I think a continuation of that is provided for. I am endeavoring to show the attitude the War Department has taken in regard to this corps from the beginning and to show that the attitude has remained the same and is the same to-day. I will next read a report of the Director General of Military Railroads. It is addressed to the Chief of Engineers, under whose office he was working, and is his final report and in which, on the last page, he tenders his resignation. The page relative to the Russian Railway Service Corps is as follows.

Mr. PARKER. What is the date, please?

Major TORREY. January 1, 1919, is the date of the report.

"In concluding the topic of railway personnel the organization of the Russian Railway Service Corps may be outlined. This corps was instituted in compliance with the request preferred by Mr. Daniel Willard, chairman of the Advisory Committee, Council of National Defense, acting for the State Department, in letter of September 18, 1917, to Maj. Gen. H. L. Scott, Chief of Staff, United States Army, as follows."

I have read that letter, so I will omit it, Mr. Chairman.

Mr. MILLER. That is the letter of September 18, 1917?

Major TORREY. Yes.

"Mr. John F. Stevens, an eminent American railway engineer, then in Russia, had cabled the Secretary of State requesting that railway men be organized and sent to Russia for the purpose of acting as railroad instructors on the Trans-Siberian Railroad. As the office of the Director General, Military Railways, had organized all the railroad regiments for France, it was deemed best fitted to undertake the work, and accordingly a memorandum, dated September 21, 1917, from the Chief of Engineers, requesting authority to raise and form this corps was approved by the Secretary of War on October 9, 1917.

"The corps was formed in accordance with arrangements made by the Russian ambassador with the United States Government. Its corps was organized along semi-military lines but the members were not officers of the United States Army, their pay being drawn from sums furnished by the Russian Government. All members were officials in various United States railways and had had no military training, as it was not contemplated that they would be called upon for military duty. The uniform of the corps was very similar to that of the United States Army with the exception that the coat had a roll collar similar to that of the English uniform. To encourage enrollment salaries were fixed as follows: Colonel, \$20,000 per annum; lieutenant colonel, \$8,000 per annum; major, \$5,000 per annum; captain, \$3,000 per annum; first lieutenants, \$2,500 per annum; second lieutenants, \$2,000 per annum.

"The personnel of the Russian Railway Service Corps was as follows: Authorized, 1 colonel, 4 lieutenant colonels, 13 majors, 24 captains, 85 first lieutenants, and 212 second lieutenants. Actual, 1 colonel, 5 lieutenant colonels, 14 majors, 22 captains, 80 first lieutenants, and 166 second lieutenants; a total of 288 men.

"Of the 288 men enrolled in this corps, 72 were furnished by the Baldwin Locomotive Co., these being intended for setting up at Vladivostok locomotives built in the United States.

"The director general military railways assigned Col. George H. Emerson, Russian Railway Service Corps, to the task of recruiting the above listed officers, which was completed at St. Paul, Minn. The corps sailed from San Francisco for Vladivostok, November 19, 1917, on the U. S. Army transport *Thomas*. The *Thomas* proceeded to Vladivostok by way of Honolulu, arriving on December 14. On account of the unsettled conditions then existing in that city, it was deemed inadvisable to land and the *Thomas*, forced to leave Vladivostok on account of ice conditions, sailed for Nagasaki, Japan, on December 17. Upon arrival at Nagasaki, the corps was held on board the transport until January 10, 1918, after which date the personnel occupied quarters at Nagasaki.

"Mr. John F. Stevens, who had been in general charge of the work on the Russian railroads, cabled from Harbin, Manchuria, under date of February 10, 1918, to the effect that he intended to use the Russian Railway Corps on the trans-Siberian railroad from Vladivostok to Irkutsk in exact accordance with the original plan. An additional cable under date of February 21, 1918, was received from the American ambassador at Tokyo, Japan, stating that the Russian Railway Corps was at that date preparing to leave Japan for Harbin, Manchuria, preparatory to entering on its work in connection with the trans-Siberian Railroad. On December 30, 1918, there were 194 members of the corps in Russia."

Mr. QUIN. What year was that—December 1918 or 1919?

Major TORREY. On December 30, 1918, there were 194 members of the corps in Russia.

Mr. QUIN. That would be just about two months after the armistice?

Major TORREY. Yes, sir; approximately. I have here the form and manner in which these gentlemen were appointed and the manner in which their resignations were acted upon if the committee would like to go into that. I just brought them along for information.

Mr. PARKER. That is important.

Mr. QUIN. I think we ought to have that.

Mr. BROTHINGHAM. It is in the previous record.

Mr. QUIN. I think we had better have it over again.  
Major TORREY. I will pick out one at random.

DECEMBER 2, 1919.

From: The Acting Chief of Engineers, Room 2709, Munitions Building.  
To: The Adjutant General, Washington, D. C.  
Subject: Russian Railway Service Corps.

1. It is requested that the following letters of appointment in the Russian Railway Service Corps, to date as of December 1, 1919, be forwarded to this office for transmittal to the officers named: A. F. Fanger as first lieutenant; Walter J. Mullikin as second lieutenant; Walter W. Sedgewick as second lieutenant.

FREDERIC V. ABBOT,  
*Colonel, Corps of Engineers, Acting Chief of Engineers.*

By J. M. WRIGHT,  
*Colonel of Engineers.*

[First indorsement.]

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
December 2, 1919.

To: The Chief of Engineers, attention Col. J. M. Wright, Room 2709, Munitions Building, Washington, D. C.

1. Above request complied with.

CHARLES J. KINDLER,  
*Adjutant General.*

Later those requests came to The Adjutant General from the interallied technical board, and I have one dated May 13, 1920:

MAY 13, 1920.

From: Interallied Technical Board.  
To: The Adjutant General of the Army.  
Subject: Letters of appointment.

1. It is requested that letters of appointment be issued to the following officers of the Russian Railway Service Corps: First Lieut. Clifford P. Haas, to be captain, effective May 1, 1920; Capt. Paul M. Lowell to be major, effective May 1, 1920; Capt. John M. Sundheimer, to be major, effective May 1, 1920.

2. It is further requested that the above letters be sent to this office for transmission to the above-mentioned officers.

C. A. DECKER,  
*Representative in United States.*

Mr. PARKER. Have you not one while the war was on? Both of those were after the war was over.

Mr. MCKENZIE. May I ask, if you know, whether this corps has been recruited from time to time since the signing of the armistice? Have men resigned and been discharged and then others appointed?

Major TORREY. From these papers I gather that from time to time there have been replacements. The gentlemen who were over there resigned or came home sick and replacements have been sent. I gather that from the number of cases and dates I see here. Mr. Chairman, it seems that the letters of appointment which I brought are all dated in 1919, or that 1919 is the earliest, I should say.

In the matter of accepting the resignations of members of this Russian Railway Service Corps the reverse operation is the same as the appointment; that is, the resignation was just the same as the appointment. The Chief of Engineers forwarded the lists to the Adjutant General recommending that the resignations of certain individuals be accepted, and subsequently the same sort of a letter would come from the Interallied Technical Board, signed by the representative in the United States, recommending that the resignations of certain individuals be accepted.

Mr. MCKENZIE. Is it your understanding that the War Department assumed any authority or control over these men, or was that authority vested in the representatives of this interallied organization, and was the War Department simply acting as agent for the organization?

Major TORREY. That is exactly my conception and I have found nothing in any of the records to indicate otherwise. The War Department was the agency that was assisting in this, because it had these agencies already in existence. For instance, the director general of military railways was the logical man to help find individuals who had the qualifications to assist Mr. Stevens, because he had done the same thing for the army in France. Similarly The Adjutant General had been used to handling the question of appointments and matters went to him because he had officers who were handling parallel matters in connection with the Army.

Mr. PARKER. You did not answer Mr. McKenzie's question. He asked whether the War Department assumed any authority over the men after they were appointed or whether that authority was assumed by the Russian authorities.

Major TORREY. Well, I gather that the War Department had no authority or took no authority over these men at all except to keep track of the records.

Mr. MCKENZIE. Have you found anything in the records that would go to show that any orders were issued by the Chief of Staff or by higher officers in the War Department having to do with this corps after its appointment and up to the present time, and have you found anything which would indicate that they were serving in the Military Establishment?

Major TORREY. No, sir; I have not, but I have some matter that is to the contrary. For instance, I have an opinion rendered by the Judge Advocate General on June 1, 1918. It is headed:

"Russian Railway Service Corps: Status of, and right to purchase subsistence stores.

"The State Department has general supervision over the Russian Railway Service Corps. The members thereof are paid by the Russian Government. Such corps is not a part of the United States Army, but the men composing it are commissioned as officials in a special corps in a manner similar to that recently adopted for the American Red Cross. (Ops. J. A. G., 6-200, October 27, 1917.)"

Mr. MCKENZIE. My purpose in asking that question, Major, is rather pertinent. Of course, the contention has been made that these men incidentally went into this service by reason of going into the Military Establishment. Now, if the Military Establishment or the military authorities during their service assumed any jurisdiction over them or looked upon them as a part of the Military Establishment that would, at least, raise the presumption that these men were in the Military Establishment, but if that is not true then the presumption is the other way. But the point I wanted to bring out was that the Military Establishment, the general staff, and all the officers connected with it have been on the square with this organization and did not assume responsibility in any way to direct them during the term of their service, and now that it is over and it is discovered that these men were not actually mustered into the military service they are undertaking to sidestep the proposition. That is the point I am bringing out.

Major TORREY. I have been able to find absolutely nothing, Mr. Chairman, as to the War Department's assuming any jurisdiction at all over these men. The only thing I have found is that they have helped. I have been able to find nothing in the records of the War Department to show that they assumed any jurisdiction over them.

Mr. MILLER. Have you any information as to the occasion for that opinion by the Judge Advocate General?

Major TORREY. I have no information as to that; no, sir.

Mr. MILLER. Seemingly some circumstance must have arisen under which the legal determination of the status of the Russian Railway Corps came under inquiry in some way, and that opinion was evidently written in response to some inquiry.

Major TORREY. Yes, sir. I had not concluded the reading of the opinion:

"Consequently the members of such corps can not be properly considered employees of an executive department of the United States within the meaning of the act of March 3, 1911 (36 Stat. 1047), and they are not entitled to purchase subsistence stores of the quartermaster at Tientsin, China."

So it evidently came up in connection with the purchase of quartermaster supplies in China.

Mr. MILLER. Do you know who addressed that inquiry to the Judge Advocate General?

Major TORREY. I do not know, sir.

Mr. MILLER. There is no correspondence referring to it?

Major TORREY. Not that I have found.

Mr. MILLER. Showing under what circumstances that opinion was rendered?

Major TORREY. No, sir; but I can get that.

Mr. PARKER. The opinion says they are not even employees of the United States.

Major TORREY. Yes, sir.

Mr. MILLER. I think it might be of interest to get the origin of the Judge Advocate General delivering that opinion, to whom he delivered it, and concerning what. It may have been delivered to Mr. Stevens, but I do not know.

Major TORREY. I can get that, sir.

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF STAFF,  
Washington, May 25, 1918.

Memorandum for The Adjutant General of the Army.

Subject: Letter from Secretary of State requesting authority for Russian Railway Service Corps to purchase supplies through Quartermaster at Tientsin.

The Secretary of War directs that the accompanying papers (A. G. 400.329) be referred to the Judge Advocate General with indorsement substantially as indicated below:

"For consideration and recommendation. The act of March 3, 1911 (36 Stat. 1047), indicates that, when the transaction is between the subsistence department and another executive department of the Government or employees thereof, the sale of subsistence stores is authorized under certain conditions. It is understood that the State Department has general supervision over the Russian Railway Service Corps but that the members thereof are paid by the Russian Government. This being so, it is desired to know if the members of said corps may properly be considered as employees of an executive department and, therefore, under the law, entitled to purchase subsistence stores."

LYTLE BROWN,  
Brigadier General, National Army,  
Director W. P. D., A. C. of S.

DEPARTMENT OF STATE,  
Washington, May 10, 1918.

MY DEAR MR. SECRETARY: I have received a communication from the War Department, dated May 2, informing me that the selling of cloth to the members of the Russian Railway Service Corps through the quartermaster at Tientsin, China, is unauthorized under the law.

I have conveyed this information to Colonel Emerson, but in the meanwhile I have received a further telegram inquiring if arrangements could be made to purchase staple groceries for his men through the quartermaster at Tientsin, stating that half the expense of the subsistence of the corps can be saved if this can be arranged.

It would be very much appreciated if you can let me know how, if at all, the savings can be effected. The Russian funds from which the corps is supported are somewhat limited, and I am anxious to assist in any way which will effect a proper economy.

I am, my dear Mr. Secretary, very sincerely yours,

ROBERT LANSING.

HON. NEWTON D. BAKER,  
Secretary of War.

[First Indorsement.]

ADJUTANT GENERAL'S OFFICE,  
May 15, 1918.

To the Quartermaster General for remark.  
By order of the Secretary of War:

PAUL GIDDINGS,  
Adjutant General.

Synopsis made.

[Second indorsement.]

WAR DEPARTMENT,  
OFFICE QUARTERMASTER GENERAL,  
Washington, D. C., May 17, 1918.

To the ADJUTANT GENERAL OF THE ARMY:

1. Returned.
2. No authority exists for sales of subsistence stores as contemplated within, but it is thought such sales can be made if authorized by the Secretary of War.
3. It is therefore recommended that authority be granted by the Secretary of War to make sales of subsistence stores in limited quantities to members of the Russian Railway Service Corps by the Quartermaster at Tientsin, China, at cost price plus 10 per cent to cover wastage and transportation, when same can be spared without detriment to the military service.

By authority of the Acting Quartermaster General.

J. W. McINTOSH,  
Lieutenant Colonel, Quartermaster Corps, National Army,  
Subsistence Division.

[Third indorsement.]

ADJUTANT GENERAL'S OFFICE,  
May 20, 1918.

To the Chief of Staff.

P.

[Fourth indorsement.]

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
May 28, 1918.

To the JUDGE ADVOCATE GENERAL:

1. For consideration and recommendation. The act of March 3, 1911 (36 Stat. 1047), indicates that, when the transaction is between the subsistence department and another executive department of the Government or employees thereof, the sale of subsistence stores is authorized under certain conditions. It is understood that the State Department has general supervision over the Russian Railway Service Corps but that the members thereof are paid by the Russian Government. This being so, it is desired to know if the members of said corps may properly be considered as employees of an executive department and, therefore, under the law, entitled to purchase subsistence stores.

By order of the Secretary of War:

JOHN S. JOHNSTON,  
Adjutant General.

[Fifth indorsement.]

WAR DEPARTMENT,  
JUDGE ADVOCATE GENERAL'S OFFICE,  
June 1, 1918.

To The ADJUTANT GENERAL:

1. By the preceding indorsement, The Adjutant General submits the question whether members of the Russian Railway Service Corps can be considered employees within the meaning of the Act of March 3, 1911 (36 Stat. 1047), which provides substantially that when a transaction is between the subsistence department and another executive department of the Government or employees thereof, the price to be charged shall be the contract or invoice price of the supplies.

By the papers in reference, it appears that certain members of the Russian Railway Service Corps have made a practice of purchasing of the quartermaster at Tientsin, China, certain groceries and other supplies, and that no authority exists for such sales to them.

2. In an opinion of this office under date of October 27, 1917 (J. A. G. 6-200), relating to the status of the Russian Railway Service Corps, it was said, *inter alia*:

"From these memoranda it is apparent that the Russian Railway Service Corps is not a part of the United States Army but that the men composing it are commissioned 'as officials in a special corps in a manner similar to that recently adopted for the American Red Cross. \* \* \*'"



And it is also stated in the preceding indorsement that—

"It is understood that the State Department has general supervision over the Russian Railway Service Corps but that the members thereof are paid by the Russian Government. This being so, it is desired to know if the members of said corps may properly be considered as employees of an executive department and, therefore, under the law, entitled to purchase subsistence stores."

The word "employee" has a well defined meaning in the law. Broadly speaking, it is used to describe persons employed in a more or less subordinate position. In a recent decision by the Supreme Court of Kentucky (*Employer's Indemnity Co. v. Kelley Coal Co.*, 149 Kent. 712), the word was defined as applicable to one who works for and under the control of his employer. The court then said that the mode of payment, while a circumstance to be considered in determining the question is not decisive, and in the recent case of *In re Courtland Manufacturing Co.* (45 N. Y. Supp. 630), it was said:

"An 'employee' is defined to be a person who is employed; one who works for wages or salary."

and in *Palmer v. Van Santvoord* (153 N. Y. 612; 47 N. E., 915; 38 L. R. A., 402), and in *United States v. Schlierholz* (137 Fed. 616, 624), it is said the word is applied to anyone who works for an employer; a person working for a salary or wage. The word is applied to anyone so working; but usually only to clerks, workmen, laborers, etc., and but rarely to officers of a government corporation.

Obviously the word "employee" could not be properly used to describe a member of the Russian Railway Service Corps, since the members of that corps can not be said to stand in the relation of an employee of the United States or any executive department of the Government.

3. I am therefore of the opinion that the members of the Russian Railway Service Corps can not be properly considered employees of an executive department of the United States within the meaning of the act of March 3, 1911, supra, and that such members are not entitled as employees to purchase subsistence stores of the Quartermaster at Tientsin, China.

JAMES J. MAYS,  
*Acting Judge Advocate General.*

[Sixth indorsement.]

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
June 4, 1918.

To the Chief of Staff.

P.

WAR DEPARTMENT,  
Washington, May 28, 1918.

The Secretary of War presents his compliments to the honorable the Secretary of State and has the honor to acknowledge the receipt of the latter's letter of May 19, 1918, in which request is made to authorize the purchase of subsistence supplies from the quartermaster at Tientsin, China, for the use of the members of the Russian Railway Service Corps. Because of some doubt as to the legal authority for the sale of subsistence stores to members of the said corps, the matter has been referred to the proper officer of the War Department for interpretation.

An investigation of the matter indicates that when the transaction is between the subsistence department and another executive department of the Government or employees thereof such sale is permitted under certain conditions. It is understood that the members of the Russian Railway Service Corps are paid by the Russian Government. This being so, interpretation has been requested as to whether or not the members of said corps may properly be considered as employees of an executive department of the United States Government.

When proper legal interpretation has been had, with respect to the point involved, the War Department will be pleased to correspond further with the State Department in the matter.

WAR DEPARTMENT,  
Washington, June 12, 1918.

The Secretary of War presents his compliments to the honorable the Secretary of State and has the honor to give herewith the legal interpretation re-

ferred to in his letter of May 28, 1918 (WPD 10004-25), with respect to the purchasing of subsistence supplies by the Russian Railway Service Corps through the quartermaster at Tientsin.

The act of March 3, 1911 (86 Stat. 1047), indicates that, when the transaction is between the subsistence department and another executive department or employees thereof, the sale of subsistence stores is authorized under certain conditions. As to whether the members of the Russian Railway Service Corps can be considered employees of an executive department of the Government the following opinion of the Judge Advocate General is quoted:

"I am therefore of the opinion that members of the Russian Railway Service Corps can not be properly considered employees of an executive department of the United States within the meaning of the act of March 3, 1911, *supra*, and that such members are not entitled as employees to purchase subsistence stores of the quartermaster at Tientsin, China."

If at any time the State Department takes over this corps, placing the members thereof in the employee class, the War Department will be pleased to correspond further on the subject.

OCTOBER 27, 1917.

Memorandum for the Chief of Engineers.

Subject: The status of the Russian Railway Service Corps with reference to the act of October 6, 1917.

1. In a letter from Maj. A. D. Kratz to the Chief of Engineers the question is raised whether the members of the Russian Railway Service Corps are entitled to insurance under the act of October 6, 1917, which amends the act of September 2, 1914, entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department."

2. The only information which I have been able to obtain with reference to the Russian Railway Service Corps is contained in memoranda, dated September 21 and October 6, 1917, for the Secretary of War from the Chief of Engineers. From these memoranda it is apparent that the Russian Railway Service Corps is not a part of the United States Army, but that the men composing it are commissioned "as officials in a special corps in a manner similar to that recently adopted for the American Red Cross." Therefore, they do not come within the definition of enlisted men or commissioned officer under section 22 of Article I of the war risk insurance act, for they are not in active service in the military forces of the United States. It is, of course, possible that further and more accurate information may develop facts which would enable the Director of the Bureau of War Risk Insurance to hold otherwise. Under the terms of the act the decision of the director would be controlling upon this point.

S. T. ANSELL,  
*Acting Judge Advocate General.*

A true copy of copy.

F. G. MUNSON,  
*Major, Judge Advocate.*

Mr. PARKER. You were going to say something about the Red Cross before you got through.

Major TORREY. Yes, sir. I have here a letter from the Chief of Engineers, dated October 11, 1917, to The Adjutant General, and the subject is uniform for Russian Railway Service Corps:

"1. On September 26, by first indorsement from The Adjutant General's Office (file No. special 320, Russia, Misc. Div.) The Adjutant General approved a uniform for the Russian Railway Service Corps. The uniform was to conform in pattern to the present uniform of the United States Army, with material of cadet gray; overcoat to be of extra-heavy weight; collar device to be the engineer castles of the Corps of Engineers and the letters 'R. R. S.' representing 'Russian Railway Service.'

"2. A thorough investigation of the woolen market develops that a sufficient quantity of satisfactory gray cloth can not be procured in any reasonable time nor can enough of any other color, which would be satisfactory, be found. It appears that the only colors now available are olive drab or greens and browns approximating to that color. In order to obtain uniforms for this Russian railway contingent at once it will be necessary to use cloth of the standard Army color or similar shades, and, in order that the uniform

shall not be that of the Army. It is necessary to have it cut differently. I therefore recommend that the uniform for the Russian Railway Service Corps be prescribed as follows:

"Officer's blouse, of similar cut to that authorized for the Army except with roll instead of standing collar; band of braid to be omitted from sleeves; rank to be shown by horizontal stripes of black braid approximately 2 inches long and one-quarter of an inch wide, one stripe for each grade, beginning with first lieutenant. Letters 'R. R. S.' (Russian Railway Service) to be worn on the shoulder straps; buttons to be the standard bronze button, Corps of Engineers, United States Army.

"Breeches, to be standard Army pattern, olive drab or similar woollen cloth.

"Boots, full length laced boots.

"Overcoat, extra heavy, full sheepskin lined, three-quarter length ulster, made of closely woven drab-colored moleskin cloth, or equal.

"Cap, camel's hair, of olive drab or brown color.

"Shirt, olive drab or brown, woollen.

"Tie, black.

"W. M. BLACK,  
"Major General."

[First Indorsement.]

ADJUTANT GENERAL'S OFFICE,  
October 12, 1917.

TO THE CHIEF OF STAFF:

Approved.

By order of the Secretary of War:

TASKER H. BLISS,  
General, Chief of Staff.

[Second Indorsement.]

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
October 13, 1917.

TO THE CHIEF OF ENGINEERS:

Inviting attention to the approval of the Secretary of War hereon.

By order of the Secretary of War:

H. G. LEARNARD,  
Adjutant General.

There is an inclosure of a pencil sketch of the uniform.

Mr. MCKENZIE. I think you have made a sufficient statement as far as the War Department is concerned, unless there are some other questions to be asked.

Mr. PARKER. We have not had his statement as to the manner in which the Red Cross officers were commissioned. He said the officers in this corps were commissioned like the Red Cross officers, and I think the commissioning of the Red Cross is something of importance.

Mr. MCKENZIE. If he knows he may state it.

Mr. PARKER. He said he did know it and was going to put it in the record.

Mr. FISHER. I would like to know whether or not Mr. Felton, who was the director general of the military railways, ever at any time attempted to dispute the true status of the members of this corps as far as the War Department was concerned?

Major TORREY. I would not know at all.

Mr. FISHER. Have you any records in your possession to show what Mr. Felton's attitude was about the members of this corps and as to their status as a part of the War Department?

Major TORREY. No, sir; except the report I have just read.

Mr. FISHER. Were the transactions with the Director of Military Railways carried on through the War Department or through the State Department?

Major TORREY. I do not know, sir.

Mr. FISHER. I notice among your papers a letter which purports to be signed by Mr. Felton. Do you know whether that is genuine or not?

Major TORREY. That is one of the papers found among the records.

Mr. FISHER. Has that been introduced into this record?

Major TORREY. No, sir.

Mr. FISHER. I would like to have you read it.

Major TORREY. It is headed [reading]:

WAR DEPARTMENT,  
CORPS OF ENGINEERS, U. S. ARMY,  
OFFICE OF THE DIRECTOR GENERAL OF RAILWAYS,  
Washington, D. C., February 18, 1918.

Mr. BASIL MILES,  
*Department of State, Washington, D. C.*

DEAR Mr. MILES: I suggest in cabling Stevens that you also say that Emerson and his men are organized as the Russian Railway Service Corps; are not regular officers of the Army, but hold letters stating their commissions in that corps. The corps is authorized by our Government and created for the specific purpose of securing for the men extra pay on account of the peculiar nature of their services.

Yours very truly,

S. M. FELTON,  
*Director General Military Railways.*

Mr. FISHER. The reason I asked the question was that during the period of the organization of this Russian Railway Corps I tried to get an appointment on it for a civil engineer who wanted to go to Russia. I had a number of interviews with Mr. Felton, and I know that was his attitude. Do you know whether or not a message was sent according to that letter?

Major TORREY. I do not know. If I may say, in going over these records I find—and I think the gentleman from the State Department said the same thing—that a great deal of the details in this matter were evidently handled by conferences and the personal getting together of these different individuals. I gather that from what I have seen.

Mr. QUIN. You read a description there of the induction of these men into the service: General Black was the head of the Engineer Corps of the United States Army at that time, was he not?

Major TORREY. Yes, sir.

Mr. QUIN. And he specified a uniform with a tassel on it, just like any other officer or private in the Engineer Corps would have. It was the same uniform except as to cut, and I presume that the heavy collar was provided because of the cold climate over there. Would not that look natural?

Major TORREY. Yes, sir. It is all explained in here.

Mr. QUIN. Why was this corps equipped with the exact uniform, outside of the cut, as was provided for the United States Army, if it was not intended that they should be a part of the military service?

Major TORREY. From these records it seems to me that they were trying to get away from the Regular Army uniform as far as possible but did not find it possible on account of the cloth.

Mr. QUIN. They gave them the exact button that the United States Engineer Corps had, and the only difference was in the description of the braid on the sleeve. The description indicates a black braid with a stripe one-quarter of an inch different from the other.

Mr. HILL. The rank insignia of this corps was not the ordinary Army insignia, but it was precisely the insignia of the Red Cross. The Red Cross insignia was indicated by stripes on the arm, just the same as was used in the case of this Russian Railway Corps.

Major TORREY. Yes, sir; that is what I gather.

Mr. HILL. If these men were not in the Army, what did General Black mean when he said that the insignia would indicate their rank? What does that mean?

Major TORREY. There is military rank in the military establishment, and there is rank in the National Guard, when not in the service of the United States.

Mr. HILL. The National Guard is in the service of the United States. When an Army man refers to rank, as I understand it, he refers to men in the Army.

Mr. QUIN. They keep on talking about the Red Cross. If that were the case, why did the Army authorities appoint these men?

Mr. PARKER. It was stated in the first letter that they would be organized like the Red Cross. I still ask my question about the rank in the Red Cross. I was referring to the buttons used by the Red Cross indicating rank.

Major TORREY. I have no information on that except general knowledge.

Mr. QUIN. Major, I would like to ask whether or not that uniform was later on changed to correspond exactly to the uniform of the national military establishment?

Major TORREY. I do not know, sir. I have not seen any records bearing on that.

Mr. QUIN. All of the correspondence you have read there indicates that these men were commissioned through the War Department. That is true, is it not? The Adjutant General is the officer of the Army who directly controls that, is he not?

Major TORREY. They were given letters of appointment.

Mr. QUIN. And the Adjutant General of the United States Army is the recognized agency of the United States Government through whom those appointments pass?

Major TORREY. Yes, sir.

Mr. QUIN. Now, the service that these men were enlisted to render was, as read by you, in a territory that the United States Government, through the President, who was at that time the commander in chief of the Army, was to operate, was it not? These men operated in that territory, under the War Department, in specific formation, directed by the Commander in Chief of the United States Army.

Major TORREY. I have not gotten the idea that they operated under the War Department.

Mr. QUIN. They were appointed under the War Department, were they not, or the War Department was the agency through which their appointments were made?

Major TORREY. Yes, sir.

Mr. QUIN. These men, going through the military channels of the United States, and wearing the uniform of the United States Government in that service, were brought back here under orders of the United States Army officers in the regular Military Establishment of the Government, were they not?

Major TORREY. Their resignations were accepted through The Adjutant General, just the same as their appointments were made through him.

Mr. QUIN. Their resignations were not accepted by the head of the Red Cross, were they?

Major TORREY. No, sir.

Mr. QUIN. They were not accepted by the head of any Y. M. C. A., were they? They were accepted by the regular authorized military authorities of the United States Government, were they not?

Major TORREY. They were accepted; yes, sir.

Mr. QUIN. And they served under enlistments that were directed by The Adjutant General of the United States Army, did they not?

Major TORREY. They received their appointments through him; yes, sir.

Mr. QUIN. The action of the agencies of the United States authorities in sending these railroad men to Russia, wearing the United States uniform, and bringing them back, indicates the scope of that agency, and that they were a part of the Military Establishment of the United States Government, does it not?

Major TORREY. It does not so appeal to me. Frankly, it does not.

Mr. QUIN. Why does the War Department object to these men having the status that this bill provides that they shall have?

Major TORREY. In the first place, the theory upon which the War Department has been proceeding is that a military commission is for a military man for a military purpose, and having in mind future service under that commission. There is another element that enters into it: The War Department has to look at these matters with a broad scope, and it realizes that during war there necessarily are employed activities of a semimilitary character, and they realize that if they were to differentiate between the actual military activities and certain semimilitary activities it would be impossible to know where to stop.

Mr. QUIN. These railroad men were subjected to the same hardships as other military men, because they went into a territory where they were subjecting themselves to cholera, leprosy, typhus, chinch bugs, lice, and all the diseases that the human flesh is heir to, were they not?

Major TORREY. Yes, sir; they were.

Mr. QUIN. They went into a zone of military activity from which it was very doubtful whether they would ever be able to get back to their families in the United States?

Major TORREY. Yes, sir; that is true.

Mr. QUIN. They were six or eight thousand miles from home, over in Siberia, among Mongolians and every other kind of element that was repulsive to them, and yet our friend talks about them like they were not undergoing any military service or hardship. These men were in jeopardy all the time they were over there, were they not? This activity that these 288 men were engaged in was a military activity of the United States Government, was it not? It was a military activity of the United States and of its allies, with whom we were working in a coordinated way, not only there, but elsewhere in Europe.

Major TORREY. I think that it was duty of a military kind; yes, sir; just the same as a great many other activities during the war were semimilitary or partly military.

Mr. QUIN. The enlistment of these men in the service through Mr. Felton, and their passing through military channels, led them to understand that they were in the military service, did it not?

Major TORREY. Quite probably; yes, sir.

Mr. MCKENZIE. We are very much obliged to you for your statement, Major.

Major TORREY. If Mr. Decker is not going to testify, there is one thing I would like to bring out. I noticed in talking with him the other day and in going over these records that the application these men signed for appointment into this corps were made out as for officers of the Reserve Corps.

Mr. MCKENZIE. I suggest that you put into the record copies of any of those documents you have been discussing here this morning, so that they may be printed.

Major TORREY. I will furnish the committee with one of those forms. I did not bring one with me.

LETTER OF APPLICATION FOR EXAMINATION FOR COMMISSION IN ENGINEERS OFFICERS' RESERVE CORPS.

OCTOBER 29, 1917.

The CHIEF OF ENGINEERS, UNITED STATES ARMY,  
Washington, D. C.

SIR: I have the honor to apply for examination for a commission as (1) first Lieutenant of Engineers in the Officers' Reserve Corps, organized under authority of Congress.

I have served ——— years in (2) ———.

I have pursued a regular course of instruction for nine years in (3) grades in high school.

I graduated in the year ——— from (4) ——— after having creditably pursued the course of military instruction therein provided.

I was born August 27, 1872, and am (5) ——— a citizen of the United States. My business is railroading, operating department, 25 years.

(6) I inclose letters of recommendation and addresses of three citizens who know me, as follows: R. D. Hawkins, St. Paul, Minn.; Frank Buchanan, St. Paul, Minn.; M. J. Guiry, St. Paul, Minn.

Respectfully,

EDWARD ANDREW DIXON.

Permanent post-office address: Norwalk, Ohio.

The correctness of the statement above made were sworn to and subscribed before me October 31, 1917.

W. J. BARRON,  
Notary Public, Ramsey County, Minn.

My commission expires October 14, 1920.

(1) Insert grade, first or second lieutenant, captain, or major.

(2) Insert service in the Regular Army of the United States or volunteer forces of the United States, or Organized Militia of any State, Territory, or District of Columbia, also state in what capacity.

(3) Insert name and location of the school or service.

(4) Insert the name and location of the educational institution.

(5) Insert "not" if in accordance with fact.

(6) If a member of an engineering society, state society and grade of membership.

(7) Oath to be taken before, and signature to be made by, officer authorized by law to administer oaths.

ST. PAUL, MINN., October 31, 1917.

Mr. S. M. FELTON,

*Director General of Railways, Washington, D. C.*

DEAR SIR: I wish to recommend Mr. A. E. Dixon as boiler maker foreman with the Russian Railway Corps.

He has served with the Wabash Railway in a similar capacity for a number of years, and I am informed that his services were very much appreciated and successful. He is a man of pleasing personality and I believe worthy of the position for which he is applying.

Yours truly,

R. D. HAWKINS.

RUSSIAN RAILWAY SERVICE CORPS,

*St. Paul, Minn., October 31, 1917.*

Mr. G. H. EMERSON:

Mr. E. A. Dixon, boiler maker foreman, has been employed by the Wabash Railroad, and I would strongly recommend him for this position in the Russian Railway Service Corps.

Respectfully,

FRANK BUCHANAN,

*Master Mechanic, Eighth Contingent.*

ST. PAUL, MINN., October 31, 1917.

Mr. S. M. FELTON,

*Director General of Railways, Washington, D. C.*

DEAR SIR: I desire to recommend Mr. A. E. Dixon for position as boiler maker foreman with the Russian Railway Service Corps.

He has been employed in a similar position by the Wabash Railroad for the past several years, where his services and character were satisfactory, and I feel that he will be a good man for the position for which he has applied.

Yours truly,

M. J. GUIRY.

Mr. McKENZIE. Of course, this record is being made up so that we will have information on all these points, and if you have anything to add to what you have said we will be glad to have you put it in the record.

Mr. CROWTHER. One of the letters read shows manifestly that the intention was, if possible, not to garb these men in a uniform of the color of that of the United States Army, but there was a suggestion that grey material be used so as to differentiate them from regular Army men.

Major TORREY. Yes, sir.

Mr. CROWTHER. No such material was available, and it was for that reason that they were given these uniforms. It appears that the reason for putting them in uniform was because they would come into contact with civilians, and that there might be carried the idea of authority that goes generally with a uniform. As suggested in the conference first held, it was the purpose that they might have commensurate rank with that of Russian military officers who were in charge of the railroads, and in order that they might bear a similarity to them in appearance. It was thought that the uniform would carry that sort of impression.

Major TORREY. That was the impression.

Mr. WURZBACH. Is it your contention that it was the intention to convey to the Russians an impression that was not really founded upon fact—that is, that they sought to convey the impression to their Russian associates that they did belong to the Military Establishment of the United States, with the rank of officers, while, as a matter of fact, that was merely a deception practiced upon the Russians?

Major TORREY. I did not get that impression, no, sir.

Mr. SPEAR. May I ask how much time you can give us? There is much additional information that we would like to get before your committee to further prove our contention. In fact, we have a number of affidavits from our men. I would like, also, to correct the impression that Mr. Poole gave about that year of inactivity. It was only about six weeks.

Mr. McKENZIE. On Thursday, we will finish up the hearing on the so-called Bursum bill. We did not get quite through with that the other day, and, if it is agreeable to you, the time could be divided with you on that day.

Mr. CROWTHER. What do the affidavits refer to—that they considered they were in the military service?

Mr. SPEAR. Yes, sir; and that they were transferred from the conscripted list to this corps.

Mr. CROWTHER. Then there were some of them subject to conscription?

Mr. SPEAR. A great many of them.

Mr. CROWTHER. The statement has been made that scarcely any of them were subject to conscription.

Mr. SPEAR. That is erroneous.

Mr. CROWTHER. I am glad to know that.

(After informal discussion the committee adjourned to meet Thursday, June 22, 1922, at 10 o'clock a. m.)

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COMMITTEE ON MILITARY AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
Friday, June 23, 1922.

The committee met at 10.30 o'clock a. m., Hon. John C. McKenzie (acting chairman) presiding.

Mr. MCKENZIE. Mr. Spear, the meeting is now at your disposal.

Mr. SPEAR. Mr. Chairman, Mr. Best has some data here, and I will ask him to give you what he has first, and then there are other gentlemen who wish to be heard.

**STATEMENT OF MR. R. S. BEST.**

Mr. MCKENZIE. Mr. Best, for the benefit of the record, you might state your position and whom you represent.

Mr. BEST. Mr. Chairman. Mr. Spear is the president of our veterans' association, consisting of the former members of the Russian Railway Service Corps, and I happen to be the vice president of the association. It is simply an organization for social purposes. We meet once a year on armistice day and on the anniversary of our going overseas when we left St. Paul in 1917; the matter of this legislation is simply incidental to the organization. It is the only organization we have to look after our interests. There are about 150 members of the corps who belong to this organization and make a free-will offering to take care of our social gatherings and look out for the matters of this committee down here in Washington.

We have made a few notes since our hearing in January and have gathered together some data, affidavits, and other material, that I would like to read into the record with your permission.

Mr. CROWTHER. Mr. Chairman, before Mr. Best commences his statement, I would like to ask if it would not be a good thing for him to follow up his record and the position he occupies with a statement of his experience. Were you a member of this corps?

Mr. BEST. Yes, sir.

Mr. CROWTHER. Why not make a statement right now, so that it will appear following your record, showing why you were induced to join this organization and what the inducements were that were made to you at that time and in what form they appeared; also what statements were made to you and by whom in regard to your being commissioned as an officer in the Regular Army and something very explicit about your own personal experience in this matter. I think it would be very appropriate to have that appear in the record at this time.

Mr. BEST. Mr. Chairman, I am glad of the opportunity to put everything in the record that the committee desires, and I want to refer briefly to our position. We would like in getting this material before the committee this morning to have as many members of the committee present as possible. In other words, we want the committee to hear our verbal testimony, realizing that it is a tedious matter to go through and read hard type after a thing is over, and you can not get the benefit of our point of view as well as you could if you were here personally. So if the chairman will kindly have the secretary notify any absent members who can be here, we will appreciate it very much and in the meantime I will go right ahead with the suggestion of Congressman Crowther and make clear our position, and incidentally I will cover my own position just as it appeared to me at that time.



Mr. MCKENZIE. We have about eight or nine members of the committee present now and there are other members coming in right along.

Mr. BEST. For the benefit of the members of the committee who were not present at the hearing in January, I just want to go over the headings of the contentions we made at that time, and our testimony this morning will fall in line with that. We covered at the hearing in January the organization, the personnel, the purpose, and our forms of commission, which were issued by the President over the signature of The Adjutant General; we covered our uniform and insignia, and the drill and instructions that were given each man, and our departure from St. Paul and subsequently from the United States and our arrival in Vladivostok, and we made mention of the fall of the Kerensky government and the fact that we were returned to Japan to await orders from Washington. We also covered the point that was brought up here the other day about the length of our stay in Japan. We arrived there on the 24th day of December, 1917, and were held on the transport *Thomas* until a few days after the 1st of January, when we received orders from Washington, of course, through our commander, to go ashore there, and we were held there for further instructions from Washington. At the beginning of March, 110 of the men were ordered to China, northern Manchuria, to cover the Chinese Eastern, which is a part of the Trans Siberian Railway. The balance, about 80 men, remained in Japan until July, 1918, when they were ordered into Vladivostok when the Allies went in there. We preceded the American troops from Manila by a few days, going in there about the time that the Japanese troops arrived. The hearing of January 17 covers all of those points.

Now, that brings us up to the hearing held here the other day when the State and War Departments were heard. We want to cover some of the points they made. Mr. Poole, representing the State Department, brought out in the reading of the telegram from Mr. Lansing to the foreign Governments all of the points regarding the organization of this corps and the reason we were sent over into Siberia. Many of the things he read into the record were not familiar to us at that time, and, of course, were very enlightening to us as well as to the committee. There are one or two things that appeared to us at that time that Mr. Poole did not make mention of, and with your permission I want to read just an excerpt from a statement made by Mr. Charles Edward Russell, who was a member of the American war mission to Russia. This was an interview that appeared in a periodical called *The Nation's Business*, in October, 1917, and it shows the reason, primarily, for the organization of this corps and for sending it to Siberia. The part he brings out is that the transportation in Siberia had broken down and that if Russia as an ally could not be depended upon to maintain the front against the Germans on what they called the eastern front—

Mr. QUIN. Who was this Charles Edward Russell?

Mr. BEST. A member of the American war mission to Russia sent over by the American Government to Russia.

Mr. QUIN. By the State Department or by the President?

Mr. BEST. I could not say under what department, but they represented America.

Mr. MILLER. What is this you are reading now?

Mr. BEST. It is simply a report of Mr. Russell on the conditions there.

Mr. MILLER. To whom was the report made?

Mr. BEST. This was a statement made by him to a magazine called *The Nation's Business* for publicity.

Mr. MILLER. A newspaper article?

Mr. BEST. No; not a newspaper, Mr. Miller.

Mr. MILLER. I am acquainted with *The Nation's Business*, and it is a magazine.

Mr. BEST. A periodical; yes, sir.

Mr. MILLER. Then it is a magazine article you are reading?

Mr. BEST. An interview in this magazine; yes, sir. I just want to read into the record a few words of what he said.

Mr. MILLER. So far as I am concerned, Mr. Best, I had hoped you would have something more reliable than newspaper articles or magazine articles or things of that character.

Mr. BEST. If you will pardon me, Mr. Miller, I will not burden you with anything of that kind, only I want to read this one little paragraph here. He says:

"There are 150 German divisions upon the eastern front. There are only 123 upon the western front. Suppose that Germany should be able to release 150 divisions from Riga to the Rumanian front, that would mean that the German forces upon the western front would be doubled. That would mean that there would come down to the western front this great tide of the German Army, with all their ammunition and with all their guns, flushed with the greatest victory in their history."

The point I want to make is that the Government officials at that time realized that if Russia broke down and did not maintain that front that all these German troops would be sent to the western front, which eventually took place. With that idea in mind, the American Government, as Mr. Lansing's telegram shows, sent these engineers over there to maintain transportation in order to avoid that possibility.

After the arrangements were made by Mr. Lansing and the other representatives of the American Government, as I understand it, orders were sent from the Secretary of War to Mr. Felton, the director general of military railways, who called Mr. George H. Emerson to Washington for a conference. Mr. Emerson at that time was general manager of the Great Northern Railway and, of course, is looked up to by all railway men as an authority, and he was brought down here for that purpose. The conference resulted in Mr. Emerson going back to St. Paul and calling on the various general managers of the railways in his district for men to supply the needs of this corps.

I want to read an excerpt from a letter of the general manager of the M. & St. L. Railroad who wrote a letter to his subordinate officers asking for men to join this corps. This letter is dated Minneapolis, October 4, 1917, and is addressed to his general superintendents. He says in part:

"It will be necessary for those desiring to enter this service to take with them letters of recommendation from their superior officers and to pass a physical examination, and these men must be in good physical condition to take an active part in the operation of the Russian railroads in a cold climate. These men will be enlisted in the United States Army and given commissioned officers' rank, the enlistment to be for the period of the war. They must be men of experience, good character, and of mature judgment. Men with families will be accepted."

Further on he says:

"Mr. Daniel Willard, president of the Baltimore & Ohio, has said that whatever may be done to advance the interests of our allies is going to reduce the number of our young men who must go on the firing line. This is therefore a patriotic call to our men and we hope they will respond in goodly numbers."

I want to show by that, gentlemen, that Mr. Henley, general manager of the railroad, sent this notice out to his men to join this corps and stated they would be enlisted and given commissions as officers of the United States Army. Now, that is all they had to work on when they went to St. Paul. Mr. Willard made the statement that it was a patriotic call and that whatever we did over there would reduce the number of men who would have to go on the firing line in France. Therefore we thought we were doing a patriotic duty when we entered this corps, and we were organized in the middle of October, 1917, and within three weeks were on board a vessel bound for Vladivostok, Siberia. We were trained, outfitted in military uniforms and all, and I want to cover that further a little later on.

Mr. CROWTHER. Were you working for that railroad?

Mr. BEST. No, sir; I was on the Burlington Railway.

Mr. CROWTHER. You have not put in what I asked you to.

Mr. BEST. I am going to put that in right now. In respect to other members of different railroads who entered this corps it was all handled in a similar manner. In my case the general manager went out over the line with a special train on inspection work, and incidentally he mentioned to the division officers that the Government was organizing a corps of railway officers to go to Siberia, and he asked that so many dispatchers, so many train masters, and so many mechanical men volunteer from the Burlington. We had to furnish 16 men, and he said, "You come to St. Paul and report to Colonel Emerson and you will be commissioned first lieutenant if you are a train master, second lieutenant if you are a train dispatcher, and so on down through the line. I did that at the general manager's suggestion and went to St. Paul."

Mr. QUIN. What line of work were you doing for the railroad?

Mr. BEST. Train dispatcher. Arriving in St. Paul we were examined physically, made out application for a commission on a reserve officer's blank application, went through all the forms and were told to remain in St. Paul until our uniforms arrived, and that we were to sail within a few days.

Now, I have another letter here from a lieutenant colonel, Mr. Hawkins, who is now superintendent of motive power on the Atlantic Coast Line, who was one of the righthand men of Colonel Emerson. With your permission I would like to read that letter into the record, or at least a part of it.

Mr. CROWTHER. Is this letter that was written to the employees of this one railroad the only document you have that specifically stated that the men would be enlisted in the United States Army and commissioned as officers of the Army?

Mr. BEST. Mr. Crowther, all the various railroads got out bulletins or letters on their own lines. This is the only one I brought with me, because I did not think you would want to put in so many. We can get perhaps the instructions that were issued on each railroad.

Mr. CROWTHER. Of course the railroad could not have done that on its own responsibility. Somewhere and somehow the railroads must have had either some information or a circular which contained that language, otherwise they would not have dared to put it out themselves.

Mr. BEST. Exactly.

Mr. CROWTHER. Is there nowhere an authentic circular from the Government or an official bulletin containing that language which could go into the record?

Mr. BEST. I could not say as to that. I would take it from the remarks which Mr. Poole, representing the State Department, made here the other day that some of this matter was carried on in conference, and just what transpired in those conferences perhaps there is no record of.

Mr. CROWTHER. It was a good deal for the individual managers of any department of the railroads to take upon themselves, it seems to me, to so advise their men unless they had some pretty good authority for it.

Mr. QUIN. I think they had that. That is exactly the point.

Mr. CROWTHER. That is what I am trying to find out. He says they have nothing of that sort that was printed.

Mr. QUIN. These men were led to believe that the United States Army or the United States Government was sending them over there.

Mr. WURZBACH. Mr. Best, the company you were working for at that time was the Burlington?

Mr. BEST. Yes, sir.

Mr. WURZBACH. Did they send out a similar notice?

Mr. BEST. I think they did; yes, sir.

Mr. WURZBACH. Were there any oral representations made to you by any of the railroad officials that were of similar import to this?

Mr. BEST. Yes, sir.

Mr. WURZBACH. And especially with reference that these men would be a part of the Army of the United States?

Mr. BEST. Yes, sir; in fact, most of the men who went from the Burlington Railway were called into the general manager's office at Chicago for a conference and were told about what would be expected of them. I did not happen to be called in there because I did not know about it until the meeting had been held and I went into St. Paul direct without going to Chicago.

Mr. WURZBACH. From that time on, until you arrived in Russia, did you receive any notice from any source contradicting the statements contained in that letter and the oral representations made to you with reference to your induction into the Army of the United States?

Mr. BEST. Contradicting the fact that we were in the Army?

Mr. WURZBACH. Yes.

Mr. BEST. I will bring that out in just a moment, if you will just bear with me. If you will just bear with me a moment I will read these records and then I will be glad to answer any questions you care to ask me.

Now, this is the letter from Mr. Hawkins, who had the rank of lieutenant colonel, and he writes under date of Wilmington, N. C., June 19, 1922: "Mr. R. S. Best. Dear Sir:—"

Mr. WURZBACH (interposing). This was 1918?

Mr. BEST. No, sir; 1922. This is a letter to me here in Washington:

"Having read the hearing of the committee in January in regard to bill S. 28, concerning the status of the Russian Railway Service Corps, I want to say that when I offered my service to go with Colonel Emerson to Russia it was with the understanding that I was to become an officer in the Army of the United States to be detailed on special service in connection with directing our ally, Russia, in railway operation, that the supplies and ammunition sent from the United States might be moved from Vladivostok to the front and in that way keep the Russian army in the engagements on the east with our enemies, the Central Powers.

"I was not subject to the draft, being 44 years old, and while I questioned some of the preparatory arrangements, I was informed that this expedition was being arranged by the President, and owing to the desire and necessity of our getting to the Russian front promptly the usual order of organization had been made special to save much delay.

"Mr. Emerson was general manager of the Great Northern Railway and I was superintendent motive power, and, therefore, had this opportunity to have him explain the plans as given him at Washington and was the first to offer my service and to be accepted, and assisted from the start in getting the corps organized and started for Siberia.

"Had I or those who enlisted in this corps questioned the instructions which came from Washington which were under preparation at St. Paul or San Francisco before sailing, we would have felt such act as bordering at least upon disloyalty to our country.

"When I signed acceptance of notice of appointment as lieutenant colonel of the Russian Railway Corps I fully expected to be sworn into the United States Army service in regular form, but Mr. Greene, who came to St. Paul with these notices, informed us that the regular form would be sent us as soon as the congested forces in the War Department at Washington could reach us, that these short forms were used at that time as a necessity, and that our departure be not delayed. Mr. Greene reached St. Paul on Saturday and we entrained on Sunday for San Francisco.

"If this corps is not or was not intended to be made a part of the United States Army, then those responsible for the organization of the corps, myself included for the part I played in enlisting others, have done a great injustice in misrepresenting facts. It will be a most bitter remembrance if I have to accept as a fact that I was duped into believing myself to be and acting, or aping, the part of an American Army officer without this being a fact in my endeavor to serve my country in the World War."

The balance of the letter is immaterial.

Mr. QUIN. What is the name of that man, please?

Mr. BEST. That letter is signed by R. D. Hawkins, general superintendent of motive power, Atlantic Coast Line Railroad.

Mr. QUIN. He states the case exactly the way I understand it.

Mr. BEST. Now, gentlemen, I have another affidavit here from one of the members of our corps. This affidavit is from Lieut. F. H. Barry, of Fort Dodge, Iowa, who states:

"In conclusion we wish to state that we were given Victory buttons and Victory medals for service in Siberia by the United States War Department, our applications for same being accompanied by our so-called commissions, which were passed on and approved by one Lieutenant Thom, of the Regular United States Army, at Des Moines."

I have another affidavit from Lieut. F. E. Haines, dated Ottumwa, Iowa, January 16, 1922, which says, in part:

"On arrival in Siberia in August, 1918, I was furnished a United States Army revolver and required to go armed. In December, 1918, our uniforms were changed to the regulation Army uniform, letters "U. S." on right side and "R. R. S." on left side, with regulation Engineer Corps insignia."

That covers the point about our uniform and shows that it was made strictly in accordance with the uniform of Major Torrey, who sat in this chair here the other day.

Here is an affidavit from Lieutenant Anderson, of Centerville, Iowa, which says, in part:

"I further state that in August, 1918, I left Vladivostok, Siberia, with the first troops of the United States Army to leave that port and was stationed at a tunnel 49 versts from Vladivostok to guard said tunnel, and that a telegraph wire was connected to a sentry box, and that it was my duty to be constantly

near said sentry box in order that I might summon assistance from other guards located a few miles to the east or west of the tunnel in case of attack."

Now, that covers the point that we were in a military zone and did service with the other American troops.

Mr. QUIN. What is his name?

Mr. BEST. Lieutenant Anderson.

Mr. QUIN. Where is he from?

Mr. BEST. Centerville, Iowa.

Mr. QUIN. What road?

Mr. BEST. The Burlington Railway.

Here is an affidavit from former Lieut. J. L. Duffy, who came home sick. He makes an affidavit which is lengthy, but I just want to read the part which refers to his treatment by the United States Army medical authorities. He says:

"I was admitted at the Letterman General Hospital as a United States Army officer and received treatment until on or about April 1, 1919, when, upon recommendation of the board of Army doctors, I was given a regular United States Army discharge, at the same time receiving vouchers for pay as a first lieutenant, travel allowance, and a bonus of \$60."

This is signed by James L. Duffy.

Mr. QUIN. What road was he from?

Mr. BEST. The Great Northern Railway. Mr. Duffy and another lieutenant, Mr. Smart, who came home sick, were confined in this hospital and were treated by the United States Army Medical Corps just the same as any other United States Army officer.

Mr. QUIN. And that man got the \$60 bonus which this committee reported out for the regular discharged soldiers of the Army?

Mr. BEST. Yes. Now, here is another affidavit, which I want to read in part. It is an affidavit signed by John C. Climo, of Centerville, Iowa, who is also from the Burlington Railroad. He had the rank of captain, being a master mechanic. He says:

"I still have at my home a \$10,000 war risk insurance policy, on which no deductions were ever made. Neither were my wife or myself ever notified by the department that it had been canceled. I learned this and also our status after being in Hailar, Mongolia, some six months, through the bulletin of Col. George Emerson, commanding."

Now, that shows that the Government officials in Washington issued this policy and have never notified him that this policy is not in force. Mr. Climo was stationed on the edge of the Gobi Desert and came home almost blinded from the sand storms, and is located at this time on the Burlington Railway.

Mr. CROWTHER. Does it not show that in the first instance this notice was published in St. Paul?

Mr. BEST. No, sir.

Mr. CROWTHER. Not in that letter; but does not the hearing show that this notice in regard to War Risk insurance was posted in St. Paul long before they left?

Mr. BEST. That is the statement that has been made but it has not been verified, Mr. Crowther; at least, I never saw any such bulletin and I think that very few of the men did see it.

Mr. CROWTHER. Was not that Mr. Emerson's statement?

Mr. SPEAR. Yes, sir; it was.

Mr. MCKENZIE. With reference to the facts stated in the affidavit of Mr. Duffy, that he was taken into the hospital and treated by the Army Medical Corps and was finally discharged and given travel pay and a bonus, and so on, I take it from that that Mr. Duffy assumed at least that he was an officer in the Army of the United States and was entitled to accept those emoluments; otherwise, he would not have accepted them because in so doing he would be perpetrating a fraud upon the Government by taking money to which he was not entitled?

Mr. BEST. Yes, sir.

Mr. MCKENZIE. So I assume that the point in the affidavit is to emphasize the argument that you have been making that these men assumed, or at least felt, that they were in the military service and therefore entitled to receive the same emoluments as men who were actively in the service.

Mr. QUIN. Mr. Chairman, that demonstrates the fact that the War Department itself considered them in the service when they treated them as soldiers, absolutely, in every respect.

Mr. PARKER. Was there not testimony to the effect that their compensation was greater than that of the ordinary lieutenant?

Mr. BEST. I will develop that point. In answer to your statement, Mr. McKenzie, that was the condition of Mr. Duffy's mind at the time and the other lieutenant who was with him and was confined at the same hospital. They were ordered to return their bonus and their discharge later on but at the time they accepted them, they thought it was perfectly according to the regulations.

Now, gentlemen, here is an affidavit which I want to read verbatim into the record, because it covers a very important point. It is from a man who was under 30 years of age and within the draft age. We had, I should say, about 20 or 25 men under the draft age out of the 200. These men had to go to their draft boards and get certificate of exemption in order to be released by the draft boards. They had to have an affidavit from their commanding officer, which I want to read here. This is on the regular War Department form or the draft-board form and is entitled, "Certificate of commissioned officer in support of claim of exemption of a person in the military or naval service of the United States."

"I, George H. Emerson, hereby certify that I am a commissioned officer of the Russian Railway Service Corps and that I hold the rank of colonel, and that I am now on duty at en route to Russia; and that I am personally acquainted with Robert Dudley Lewis, who has stated to me that he is 30 years old and that his permanent residence is at 1374 Grand Avenue, St. Paul, Minn.; and that Serial No. 1471 was given to him by local board division 10, St. Paul, Minn.; and that no claim for his exemption was filed with such local board on the \_\_\_\_\_ day of \_\_\_\_\_ 191—, on the ground that he was in the military or naval service of the United States.

"I do further certify that the said Robert Dudley Lewis is now in the military service of the United States in the Russian Railway Service Corps thereof, under Col. George H. Emerson, and that his present rank is second lieutenant; that the date of his acceptance of commission in said service is the 1st day of November, 1917, and that the period of his commission is five years, and that such acceptance of commission took place before he received notice from the local board to appear for his physical examination.

"I do further state that I will at once notify the said local board, during the period of my present assignment of duty, whenever the conditions entitling him to exemption cease to exist, and will request my successor to give similar notice.

"GEO. H. EMERSON."

Mr. FROTHINGHAM. Does that say a commission for five years?

Mr. BEST. The enlistment was to be for five years or for the period of the war.

We have about 40 affidavits along these same lines, gentlemen. All of those from men who were of the draft age are identical with this. Those above the draft age are along the lines of those already read into the record and the statement of Colonel Hawkins and my verbal statement that we thought we were a part of the Regular Army.

Mr. MCKENZIE. Is it your desire to put those affidavits in the record?

Mr. BEST. With your permission, I would like to put them in the record, if it is not encumbering the record.

Mr. QUIN. I think we ought to have all of them in the record.

Mr. MCKENZIE. I do not think there is any objection to that.

Mr. BEST. They are all in legal form and I can leave them with the secretary.

Now, gentlemen, I just want to cover one or two statements made at the hearing the other day by the gentlemen who testified. The point was brought out that we were paid from Russian funds. Now, we did not know anything about the source of our payments. No question was ever asked by any member of this corps. As has been said here, it would have been unseemingly to have asked where the money was coming from. The gentlemen in charge of the organization said that the money "will be deposited in any bank you designate for the maintenance of your family while you are gone." My wife and little girl received their check from Washington and it was deposited in the bank at home and they lived on the money that was paid them in that manner.

Now, as to our military rank. The officers on the railways in Russia all have military rank, and that is the reason that was assigned for the men of the Russian Railway Service Corps having corresponding rank. The fact that the Director General of Military Railroads, Mr. Felton, raised this corps was conclusive evidence to us that it was authentic, because he raised all the

railroad regiments that were sent to France, and of course the director general. Mr. Felton, worked under the War Department and according to our notions and ideas that was according to the proper form and so far as we know, it is today.

Major Torrey made the statement that the War Department gave no orders to this corps directly. We had no knowledge of where the orders came from. They came from Mr. Felton, Director General of Military Railways, and were passed down to Colonel Emerson and then on to the majors and from the majors to the other officers of lower rank.

Regarding the salaries that were received by members of this corps, we have in the original record, Mr. Chairman, the table of salaries paid to the regular United States Army officers which shows the amount they received with 10 per cent for foreign service, commutation of light, heat and quarters, which in very nearly all the ranks was the same as the officers received in this corps. I am not speaking for the colonel, because I did not know what salary he got, but I know personally that my salary as a second lieutenant was \$166, which is less than the same rank in the United States Army in foreign service. You can verify that by referring to the table of statistics, which I will not now read.

The statement was made here the other day that we were receiving the same salaries that we did in civil life. That is a mistaken statement. It is an error because, while I can not speak for all of the men, I know of various instances. There was one train master from the Pennsylvania Railroad, of New York City, who left a position paying him approximately \$350 a month. He went with this corps as second lieutenant at \$166 a month.

Mr. QUIN. Nearly \$200 less?

Mr. BEST. Yes, sir. The point I want to make is that they did not go into the service for the emoluments or the benefits in a financial way. They went as a patriotic duty and thought they were doing their duty and never questioned their salaries. The salaries were fixed by the men who raised the corps.

Mr. MCKENZIE. If you will permit me, you spoke of Mr. Felton, and I think it ought to be shown in the record that Mr. Felton at that time was not in any way an officer in the Military Establishment but a civilian, and Mr. Felton testified before this committee at one time, during the war, when asked if he had a commission, that he did not and that he would not accept a commission. Whether he afterwards did, or not, I do not know, but at that time he was not a commissioned officer.

Mr. SPEAR. I am just curious to know why that should be a part of the record. We know, and the Nation understood, that Mr. Felton was Director General of Railroads under the military service and reported to the War Department and cooperated with them.

Mr. MCKENZIE. Only for this purpose, Mr. Spear: the witness has stated that Mr. Felton gave these orders, which undoubtedly he did, and properly so. It might appear from the record that it was a military order. That was the only thing I wanted to have the record show.

Mr. SPEAR. That was by virtue of his office in connection with the War Department.

Mr. PARKER. He gave directions to men in this country, but that did not make them military officers.

Mr. MCKENZIE. It does not affect the case one way or the other.

Mr. SPEAR. Nevertheless, he was acting under military authority.

Mr. QUIN. If that was within the scope of his authority, he acted for the War Department and of course it was a military order.

Mr. BEST. Mr. Chairman, here is a letter from Mr. Felton which has a paragraph that pertains to the matter. It is a letter from Mr. Felton, ex-Director General of Military Railways, to Mr. Julius Kahn, chairman of the House Military Affairs Committee, in which he says—

Mr. PARKER. (Interposing). What is the date?

Mr. BEST. I do not see the date here.

Mr. MCKENZIE. If there is any objection or if you would rather have that, the reference to Mr. Felton, left out of the record, it is immaterial to me.

Mr. MILLER. What we are after in publishing these hearings is to have our colleagues on the floor of the House advised about the whole situation.

Mr. SPEAR. Let it ride. We want it in the record in order that it may be perfectly clear and so that all the evidence from all sides may be in.

Mr. MCKENZIE. I do not think it does any harm or any good, but clarifies the whole situation.

Mr. BEST. Mr. Felton in this letter, in part, says:

"As I was responsible for the organization of the Russian Railway Service Corps and am quite familiar with the work they were expected to do, I want to indorse their efforts to secure recognition. In the fall of 1917, by authority of the Secretary of War, I organized, equipped, and forwarded the officers making up that organization."

Mr. QUIN. Now he says he did that by authority of the Secretary of War. That is in plain English, is it not?

Mr. BEST. Yes, sir; that order was read into the record the other day.

"The work was of great importance and required a very substantial sacrifice on the part of the men undertaking it. They were all volunteers, railroad men selected with a view of filling official positions on the Trans-Siberian Railroad in connection with the operation of that line as far as practicable.

"It seems on the return of the men from that service they were deprived of the benefits accruing to officers of the National Army in connection with war risk insurance and the standing of ex-service men, on technical grounds entirely.

"My own feeling is that these men are entitled to every reasonable consideration and I trust that your influence may be enlisted in their behalf.

"Yours very truly,

"S. M. FELTON,

*"Ex-Director General Military Railways."*

Now, I want to show, Mr. Chairman, that there is no antipathy on the part of the regular United States Army officers. Brigadier General Graves, who commanded the expeditionary forces to Siberia and held in part a similar position to that of General Pershing in France, while we only had two or three regiments over there, is an executive officer in the Siberian Veterans' Association, which is similar to the American Legion, except it refers to the Siberian forces only. At a convention held in New York City in February, a resolution was introduced with the consent of General Graves. This resolution was seconded by six or eight former United States Army officers who were members of this organization, and in this resolution it is stated:

"Whereas the members of the Russian Railway Service Corps, when enlisting in the service, did so under the impression that they were joining the Army of the United States;

"And whereas it subsequently developed that their status was uncertain with the result that they have been refused forms of discharge from the United States Army; and

"Whereas the House Military Affairs Committee is at the present time giving consideration to H. R. 6432 providing for the honorable forms of discharge to the former members of the Russian Railway Service Corps; and

"Whereas a like bill under the title of S. 28 has already passed the Senate of the United States: Be it

*Resolved*, That the Siberian veterans, in convention assembled, look with favor upon the passage of this measure and recommend to the House Committee on Military Affairs their favorable consideration of this bill; and be it further

*Resolved*, That a copy of this resolution be sent to the House Committee on Military Affairs.

"A former Army officer rose, moved the adoption of the resolution, which received seven or eight seconds, and was unanimously passed."

That shows, gentlemen, that the United States Army officers with whom we were in contact constantly are not opposed to our having what at that time they thought we had as well as we did.

Now, one more incident in reference to what other nations thought about us.

Mr. CROWTHER. As I understand it, Mr. Best, the first people to raise a question as to your status were Regular Army officers, were they not?

Mr. BEST. One major, who was an emergency officer created during the war, a dentist, or something of that sort.

Maj. Don S. Colby, who was a member of the Russian Railway Service Corps, was given the military cross by the Czechoslovakian Government for services performed in the evacuation of the Czechoslovak troops from the interior of Russia. The French Government also presented Major Colby with the military cross through General Janin for services in connection with the evacuation of the allied troops. Colonel Morrow, of the Twenty-seventh Infantry, has recommended to the War Department that Major Colby receive the distinguished service medal for services performed by Major Colby in connection with the operations of the American troops and the evacuation of sick and injured soldiers from the so-called front.



HEADQUARTERS TWENTY-SEVENTH INFANTRY,  
*Verkhne-Udinsk, Siberia, January 23, 1920.*

From: Commanding officer, United States troops, Zai-Baikal sector.

To: Major Don S. Colby, Russian Railway Service Corps.

Subject. Services with the Twenty-seventh United States Infantry at Habarovsk and in the Baikal sector.

To-day the American forces give up this sector and the commanding officer takes this opportunity of expressing to you his great thanks and the thanks of the officers and men of the Twenty-seventh United States Infantry for the splendid services, assistance, and kindness you have shown to them. Throughout a freezing winter you volunteered and evacuated our sick and wounded from Habarovsk, and at the same time greatly assisted in supplying the regiment.

As division superintendent of the Zai-Baikal sector of the Trans-Siberian Railroad your services to the American forces were of the highest order.

As military commandant of the station of Verkhne-Udinsk, during the evacuation of the Czecho-Slovak and the American forces your services were such as to clear up the railroad and render possible this evacuation.

Throughout every dangerous situation, you were a tower of strength and assistance. I am fully cognizant of the splendid hospitality and great assistance you have rendered to the American Red Cross.

For all of the above-named reasons I have been pleased to recommend to the commanding general, American Expeditionary Forces, Siberia, that you be awarded the distinguished service cross.

Personally I feel myself so greatly your debtor as to be unable to express my thanks.

C. H. MORROW,  
*Colonel, Twenty-seventh Infantry.*

I might also state in that connection that this recommendation has never been acted upon and Mr. Colby, as far as we know, has never even received a reply from this recommendation. Although he has the military cross from two foreign Governments, his own Government has not recognized him in this manner as recommended by Colonel Morrow; and, furthermore, he has not received the discharge which he expected he would receive when he entered this service.

MR. WURZBACH. Is this American medal only given to men in the military service of the United States, or is it also given to civilians?

MR. BEST. I am not clear on that. Mr. John F. Stevens, who was the civil head of the American mission to Russia, received the distinguished service medal from the American Government, and it was pinned upon his blouse by General Graves. I know that to be a fact. However, this recommendation is for a distinguished service cross and not the distinguished service medal.

I want to say, gentlemen, just a few more words, and then I will finish. Former Ambassador Morris, who was the ambassador to Japan, was in close touch with this organization and has repeatedly stated that we served the American Government in a splendid manner and are entitled to the recognition which we seek.

Mr. Poole, in giving his testimony the other day, clearly brings out Mr. Lansing's position regarding this corps, and shows conclusively that the State Department has no opposition whatsoever to granting us this form of discharge which we are asking.

The matter has been mentioned that if this legislation is carried out, perhaps a precedent will be established which might reflect on other organizations, such as the Red Cross and the ambulance drivers and so on. We want to bring clearly to your minds, gentlemen, that we confidently believe that no other organizations that went to France or in any other foreign service was enlisted under a misapprehension such as existed in our case. We further want to state that we are not trying to place the responsibility for this misinterpretation or misunderstanding, we are simply giving you the facts as we saw them and as we see them now. In other words, we were given to understand that we were a part of the Army and we went overseas. Four or five members of our corps have died without any protection to their families, and some of them, I understand, were very poor. I know of one little boy 8 years old who has to be schooled by his uncle in Minnesota.

No provision was made for their protection and they are not receiving any emolument from the Government whatsoever. Their bodies were shipped home and buried by their relatives at their own expense. I have a uniform hanging at home in my closet, and while I am not trying to read any sob stuff into the record, as was suggested the other day, I confidently thought that I was a part of the United States Army, and when celebrations or memorial exercises come up to-day my neighbors and friends want to know why I can not participate or why I do not participate, and it is pretty hard to make it clear to them that we find now, after two or three or four years, that we are not entitled to wear the United States Army uniform. If we are not, we were misled. Whose fault it was or where the blame lies, we are not trying to state. We are simply trying to get recognition and get the status which we desire. After the hearing is all over we believe that you gentlemen will consider our case, and if there has been a miscarriage of justice you can rectify it by passing this legislation.

Mr. WURZBACH. Mr. Best, before you close, I want to call your attention to the fact that some objection has been made to reporting this bill favorably, upon the ground that members of your organization were not sworn into the service. What have you to say on that?

Mr. BEST. I will give you my personal standpoint. I did not know the forms that were necessary for entering the military organization. I was not familiar with the uniform, with the ranks, with the rates of pay, the procedure of enlistment, and simply signed the statements or the blanks that were put before me by the gentlemen who were in charge of the organization. We brought out in the former hearing that one lieutenant in the Judge Advocate's Department of the Regular United States Army, who was in France, did not receive his regular commission until two years afterwards, and he had to come down to Washington to find out about it. He received an appointment such as we did or along the same lines, and that was what was told to us, that we would get our regular commissions later. As to the oath, I can simply say that I did not know, in the hurry and turmoil of getting our uniforms and getting started within three weeks, whether we would be required to take that oath before leaving St. Paul or in San Francisco or on the boat or where. It was all done in such a hurry that I can not say.

Mr. WURZBACH. Do you think that if an enlisted man in the Regular Army of the United States had served for a year or two years, and had assumed the duties of a soldier and had accepted the benefits they gave to the soldiers and would desert and be tried by court-martial for desertion, do you think that under those facts and circumstances, if he could show that he was not actually sworn in, that that would be a defense to the charge of desertion?

Mr. QUIN. Oh, no.

Mr. BEST. I am not competent to judge that, but I want to say in that connection that after I was overseas, almost two years, and had been constantly trying after the armistice to get released to go home—I was 3,500 miles from Vladivostok, which is the seaport where you embark for America—myself and other officers asked for our relief, and one officer was told that the only way he could get out of this organization was to desert. Now, as far as that goes, we supposed that that meant just what it said, that we would be deserting the United States Army if we did leave without being released in the regular manner. That shows that we were under the constant impression, even months after we were overseas, that we were a part of the Army.

Mr. WURZBACH. You were certainly a de facto officer in this organization, the Russian Railway Service Corps.

Mr. BEST. Yes, sir; I think that would cover it; and, furthermore, the foreign Governments—the French, the Czecho-Slovak, the Japanese, the Chinese, and the Russian—all considered us a part of the United States Army. We were accorded the same courtesies that other officers, and in the zones where there was fighting of the Bolsheviks against the Kolchak forces, in that sector at that time there would be no distinction made between our uniforms and the others.

Mr. WURZBACH. Has it not been stated, and does it not appear in the record, that the reason you were given the rank and the uniform was for the purpose of impressing the people in Russia with the fact that you were connected with the military service of the United States?

Mr. BEST. I presume so. The State Department's evidence showed the other day why that was done. Of course, we did not know what that was done for, except we thought we were in the Army and had to be uniformed. I believe

there is a law that a man not a part of the United States Army can be arrested and convicted for wearing the uniform when he is not entitled to that privilege.

Mr. FROTHINGHAM. But you did not wear the Army uniform.

Mr. BEST. Yes, sir; we did. You, perhaps, came in after I made the statement that in 1918 our uniform was changed to conform exactly to the United States Army uniform, and before we left San Francisco the ranks were designated by the gold leaf on the shoulder for a major and the first lieutenant bars and captain bars, and those ranks shown on sleeve were taken off, and in December, 1918, the uniform conformed exactly to the United States officers' uniform, such as Major Torrey had on here the other day, with "U. S." and a castle and braid on the arm, entirely the same in every particular.

Mr. PARKER. Did a major wear the gold leaf?

Mr. BEST. Yes, sir; and the colonel wore the spread eagle.

Mr. WURZBACH. Following out my previous question, which I did not quite complete. It could hardly be assumed that this Government would try to convey an impression upon citizens of Russia, our allies, based upon facts that were not entirely true. In other words, it could hardly be assumed that you were not connected with the Army of the United States if the authorities of this Government conveyed that impression upon Russia by giving you the rank and the uniform of the United States Army.

Mr. BEST. It would not seem so. It would appear to me that that would be practicing a deception upon a foreign allied Government in putting us in that uniform.

Mr. PARKER. You say it would be a deception on the part of the Government; how about the officers of the Red Cross? They wore a United States uniform of a special sort—

Mr. BEST. Excuse me, sir, but they did not have the gold leaf or the spread eagle of a United States Army officer. Their rank was not designated in that way.

Mr. QUIN. Mr. Best, Mr. Parker seems to have that Red Cross idea in his mind, and I would like to ask you if the uniform of the Red Cross is not recognized the world over. Now, it appears to me that some one opposed to this bill has intimated that these railroad men were not subjected to any danger of being shot at or captured or anything of that sort. Do you know anything about that?

Mr. BEST. We had covered that, Mr. Quin, by saying that we were with the American troops that were guarding the tunnels, and personally I was in Omsk, Siberia, immediately behind the lines, when the Bolsheviks were driving the Kolchak government back toward the east and the Czecho-Slovaks were moving eastward. We were surrounded by typhus and bridges were blown out and airplanes were dropping bombs on the ammunition dumps at Perm, Irkutsk, and all those places immediately surrounding where we were quartered. We had men scattered all the way from Vladivostok to Omsk, 3,500 miles. The American troops, the Twenty-seventh and Thirty-first Infantries, guarded only a portion of the district. This whole railroad was guarded by other allied troops in sectors, and therefore we were not under the protection of the American troops.

Mr. CROWTHER. You had 200 men scattered over how many miles?

Mr. BEST. Three thousand five hundred. There were less than 200 because some of them had died or had been released and sent home. We were just at the division or the terminal points, Mr. Crowther, being in an official capacity from the American Government over the Russian railway officials.

Mr. CROWTHER. Speaking of the matter of deception, it really was a matter of deception when you did not wear, according to your own statement, the United States Army uniform until December, 1918, but wore another uniform which was not the Regular Army uniform and you wore that for more than a year.

Mr. BEST. During that period, of course, or during a greater part of it, we were in Japan en route, and during the first winter when the revolution had swept Russia, our men were in China; that is, northern Manchuria along the Chinese Eastern, which is a part of the Trans-Siberian, but in Chinese territory.

Mr. CROWTHER. Then, during the great portion of the time when this severe conflict was going on, these men were in Japan and China.

Mr. BEST. No, sir; the conflict I have reference to was subsequent to that time. We were sent into the interior of Russia after the Czecho-Slovak invasion.

Mr. CROWTHER. How many men of this corps were in that territory.

Mr. BEST. There were about 120 that were eventually—

Mr. CROWTHER. I mean right in that immediate territory.

Mr. BEST. Yes, sir.

Mr. CROWTHER. They must have been concentrated pretty thick at one place if there were two hundred and some odd scattered over 3,500 miles and yet you had 120 in one place.

Mr. BEST. No; we were not in one place. There were two men in Omsk and three in Krasnoyarsk, three or four or five in Irkutsk, and there were two men at Tchelyabinsk and at different terminal points.

Mr. CROWTHER. Then in that immediate zone of activity there were 12 or 15 men.

Mr. PARKER. When was that?

Mr. BEST. That was in 1919.

Mr. PARKER. That was after the armistice.

Mr. BEST. It commenced before the armistice but the fighting extended after the armistice. I was overseas 28 months.

Mr. CROWTHER. When did the order come to change the uniform? Did you have any intimation as to why your uniform was changed back to the Regular Army uniform?

Mr. BEST. I could not say about that, Mr. Crowther.

Mr. FROTHINGHAM. That is a matter I wanted to bring out if it was not already in the record.

Mr. CROWTHER. That looks as though somebody had had a change of heart and perhaps while there was no record of it, had come to the conclusion that they ought to be regarded as regular United States soldiers although they had determined not to do that, evidently, at the beginning.

Mr. BEST. The reason why we were given a roll collar at the beginning was stated to us in this way: We were to adopt the roll collar because the Regular United States Army would eventually adopt that because the men were opposed to the high collar and we thought we were having the latest-cut uniforms.

Mr. QUIN. These Russians and Czecho-Slovaks and Chinese and Japanese could not distinguish a little technical difference of that kind in the uniform, could they?

Mr. CROWTHER. Oh, the Russian officers could.

Mr. QUIN. They were ignorant of all those little distinctions, just like I was, and I was right here on the committee.

Mr. PARKER. Do the Russian railway men wear the regular Russian uniform or a different style of uniform.

Mr. BEST. They wear the same uniform as the Russian Army. They were a part of the Russian Army.

Mr. Chairman, we have just a few minutes left and we want to get a few other things into the record and there are one or two men here who want to be heard. The American Legion has a representative here, and if Mr. Spear is ready, with your permission, we will put the other men on.

Mr. SPEAR. Mr. Chairman, I think that Mr. Clark and his associates would like to be heard, and I would like to suggest that Mr. Clark speak and then introduce his associates, as they are not known to me.

# **STATEMENT OF MR. W. M. CLARK, VICE PRESIDENT AND NATIONAL LEGISLATIVE REPRESENTATIVE, ORDER OF RAILWAY CONDUCTORS.**

Mr. CLARK. Mr. Chairman and gentlemen of the committee, I am going to be very brief, but the reason we are interested in this bill is because we have many of our members who joined this corps and went over to Russia and did valiant service, and as a result thereof, our convention in May last introduced and adopted the following resolution, unanimously, which I will read, as it is very brief, and ask that it be made a part of the record.

(Resolution referred to follows:)

RESOLUTION ADOPTED MAY 6, 1922, BY THE ORDER OF RAILWAY CONDUCTORS OF AMERICA AT TRIENNIAL CONVENTION HELD AT CLEVELAND, OHIO.

valiant service, and as a result thereof our convention in May last introduced in the service during the World War did so under the impression that they were joining the Army of the United States; and

Whereas it subsequently developed that their status was uncertain, with the result that they have been refused insurance forms of discharge from the United States Army, etc.; and

Whereas the Russian Railway Service Corps was made up of brotherhood men consisting of conductors, engineers, trainmen, firemen, train dispatchers, and mechanics; and

Whereas the House Committee on Military Affairs has before it at the present time Senate bill No. 28, providing for the granting of honorable forms of discharge to the former members of the Russian Railway Service Corps; and

Whereas this measure, Senate bill No. 28, has already passed the Senate of the United States; be it

*Resolved*, That the Grand Division of the Order of Railway Conductors, in convention assembled at Cleveland, Ohio, look with favor upon the passage of this measure and recommend to the House Committee on Military Affairs prompt and favorable consideration of the measure; and be it further

*Resolved*, That a copy of this resolution be sent to the House of Representatives.

Now, Mr. Chairman and gentlemen of the committee, I did not have an opportunity to attend the hearings that were held prior to these hearings, but I scanned the record briefly and made a brief summary, which it will only take me a minute to read, and I would like also to have that appear in the record. [Reading:]

"The Russian Railway Service Corps was organized in October and November, 1917, on the authority of the President of the United States and under the direction of Mr. Felton, director general of military railways.

"Commanding officer, George H. Emerson.

"Application for appointment made on regular form Engineer Officers' Reserve Corps.

"Uniform that of Regular Army officers, except the insignia, which was given them later.

"They were drilled and given instructions as to their department as officers of the United States Army, said instructions being read to them from the Regulation Manual.

"Highly commended for their valuable service in connection with the operation of the Siberian railway service.

"These men were furnished with a regulation pistol, constantly armed, and wore the high-collared United States Army uniform.

"In some instances served as officers of the day on board United States transports with replacement troops on board for Siberia.

"Were told many times by Colonel Emerson and Lieut. Col. T. H. Lantry that they were an active and actual part of the United States Army, and entered the service with that understanding and that regular commission would follow.

"When Colonel Emerson came to Washington and got his instructions, he went back and organized the unit at St. Paul with the understanding that they were to be officers of the United States Army.

"Colonel Emerson states that it was the opinion of Messrs. Felton and Willard that the men were entitled to their insurance, as they were organized purely as a war measure and that they would make every effort to have same allowed.

"There was no question raised about the status of the men until the arrival of the American troops at Vladivostok, when some Army officers questioned the right of these men to wear the United States uniform.

"These men were never rightfully informed as to their true status until they made application for war-risk insurance, and in some instances the insurance was granted and later recalled on account of being informed that they were not a part of the United States Army and not entitled to insurance benefits.

"Several members of this unit rejected commissions in the Regular Army then being sent to France because they believed themselves to be already a part of the United States Army.

"The record shows that many of these men, when they were informed that they were not in the Regular Army, wanted to come back to this country and enlist and go to France, but they were not permitted to resign."

Now, Mr. Chairman and gentlemen of the committee, I was present at the hearings the other day when the Army representatives were present, and there was not one single word mentioned by those representatives as to the conditions under which these men enlisted in the Russian railway service—that is, so far as the understanding they had was concerned—and you have listened to affidavits to-day, and I understand there are 40 or more that it is desired

to put in the record, wherein it is shown that in every instance these men were under the impression that they were enlisted in the United States Army. Now, if that is true, and it has not been contradicted, I believe that an injustice has been done these men and that our Government should right a wrong of that kind when men were enlisted in the Army, went across the seas, and did their bit and were highly recommended for their good services. If these men went over there, as they did go, under a wrong impression, they were in no sense to blame; and I believe further that if these men had known at the time this corps was being organized that it would be necessary for them to relinquish all their insurance, which almost all of them had, and not come within the provisions of the War Risk and be entitled to an honorable discharge, I have no doubt but what that might have cooled their patriotism; and the dove of peace will not always hover over these United States and it might be necessary in the years to come to organize again; and men having these things in mind, I question whether they will be so willing to leave the good positions that they have and cast their lot with the Army of the United States.

Mr. CROWTHER. Do you not think that in case we ever had another emergency of this kind, the plan adopted in the future would have to be the conscription of everything, including capital and everything else, and we would have to do that just the same as we conscripted men?

Mr. CLARK. I would be in favor of conscripting capital.

Mr. CROWTHER. So would I; and you would have to be in favor of conscripting the services of such men as did such loyal service in this war, and you could not discriminate.

Mr. CLARK. It might be necessary to conscript them—

Mr. CROWTHER. It would be necessary, because the people would never stand for anything else.

Mr. CLARK (continuing). It might be necessary to conscript them, because they might not be so willing to enter the service as they were.

I just want to say, Mr. Chairman, that the representatives of the other train-service organizations are here, and I assume they desire to make a brief statement and also to submit resolutions that were passed at their convention. I do not desire to take any more of your time, and I thank you for the courtesy that has been extended to me.

#### **STATEMENT OF MR. W. N. DOAK, VICE PRESIDENT AND NATIONAL LEGISLATIVE REPRESENTATIVE OF THE BROTHERHOOD OF RAILROAD TRAINMEN.**

Mr. DOAK. Mr. Chairman and gentlemen, it might appear somewhat unusual for representatives of these train-service organizations to appear before the Military Affairs Committee. I think this is the first time I have ever had the honor of appearing before the committee, but we are vitally interested in this question, and Mr. Clark stated the action taken by the Order of Railway Conductors and stated briefly why we are here. The convention of the Brotherhood of Railway Trainmen, which just met at Toronto, adopted unanimously a resolution which is almost identical with the one that Mr. Clark read, and I would like to have this inserted in the record, Mr. Chairman, without reading. (The resolution referred to follows:)

#### **RESOLUTION ADOPTED BY THE THIRD TRIENNIAL CONVENTION OF THE BROTHERHOOD OF RAILROAD TRAINMEN, TORONTO, ONTARIO, MAY 12, 1922.**

Whereas the members of the Russian Railway Service Corps, when enlisting in the service during the World War, did so under the impression that they were joining the Army of the United States; and

Whereas it subsequently developed that their status was uncertain, with the result that they have been refused insurance forms of discharge from the United States Army, etc.; and

Whereas the Russian Railway Service Corps was made up of brotherhood men, consisting of conductors, engineers, trainmen, firemen, train dispatchers, operators, and mechanics; and

Whereas the House Committee on Military Affairs has before it at the present time, Senate bill No. 28, providing for the granting of honorable forms of discharge to the former members of the Russian Railway Service Corps; and

Whereas this measure, Senate bill No. 28, has already passed the Senate of the United States; be it

*Resolved*, That the Grand Lodge of the Brotherhood of Railroad Trainmen, in convention assembled at Toronto, Ontario, look with favor upon the passage of this measure, and recommend to the House Committee on Military Affairs prompt and favorable consideration of the measure; and be it further

*Resolved*, That a copy of this resolution be sent to the House of Representatives.

I want to state in this connection that we had quite a number of our men in the two hundred and odd who went overseas with this service corps, and there is one particular instance that I want to call your attention to. Something has been said here about the pink tea party that these boys had or something to that effect and that they went over there at good pay, whereas our other people went to France for small pay, and so forth, and I would like to speak of the patriotism of these men and about conscription. We had a membership of 170,000 men and there were fifteen thousand and odd, or nearly 16,000 of them, who volunteered, and you did not have to conscript them. As a matter of fact, they had to stop the enlistment of the men in our organization in order to run the railroads of the United States and Canada. Our men were among the first that went from Canada and the first that went to Europe, and a number of our American boys went over and went across with the first units of the Canadian forces, and I do not think it hardly fair to these men, under those circumstances, to have any intimation in the least that they were unpatriotic.

As to these particular men who went over, there is one instance that I want to cite, and that is the case of Lieutenant Harrigan, of the Northern Pacific Railroad. He was our general chairman and was receiving three or four hundred dollars a month at that time. He went over there for \$166, as has been stated by one of the witnesses who precedes me. There certainly could not be any question about his going over for the price that was paid. Mr. Duffy was mentioned here a moment ago. I know Mr. Duffy. He was one of the delegates at our last convention and one of the signers of this resolution. I have talked to him quite a bit and I have talked with these other boys, and there was not one of them but went over there believing that they were a part of the United States Army and were doing their patriotic duty to this country. Some of them did not have to go. As a matter of fact, they were not in the draft age and would not have had to go, but they went, and I want to state further in connection with this matter that every member of our organization that went into the military or naval service of the United States had his insurance paid up and was given a card releasing him from the payment of all dues and assessments, and we paid several hundred thousand dollars in keeping their insurance in force.

Under the laws of the various States under which our insurance department operates it was impossible for us to donate their insurance premiums and we had to pay them. We paid that out of our general fund and levied an assessment on our members to meet it. We also have a war clause in our insurance contract and we suspended that and paid every death and disability claim of every man disabled including the boys that went into the Russian Railway Service Corps. We did not discriminate at all against them because we believed they were in the military service of the United States just the same as anybody else. Now, there might be a technical point in connection with this matter. There might be some technicality raised as to the status of these men, but they never questioned that. They never asked about that part of it. They said that Mr. Emerson and other men had said to them, "We want men to go to Russia as a part of our military or naval forces to take care of this situation that is on there," and these men enlisted and went over there voluntarily, and as I have stated before, I have talked with a number of them and every one of them stated to me that they went over there believing that they were serving this country in the Army of the United States.

Therefore, Mr. Chairman and gentlemen of the committee, if there is a technicality as to the status of these men, I think Congress is big enough and patriotic enough to remove those technicalities and see that substantial justice is done to these men, and I think they will do that. There is no question in my mind about the impression of these men at the time they enlisted, and I do hope that you will favorably report this bill and that it will pass the House as it has passed the Senate, and will give them this relief, and if there are any technicalities involved, you have the authority to eliminate them and bring the matter up and I hope you will do that. That is all we ask.

Mr. BEST. Mr. Chairman, the American Legion representative has been called away but he has stated to Mr. Sedgwick, the clerk of the committee, that they want to go on record and will put their association on record to the effect that the American Legion is back of this organization in asking for the status that we feel we are entitled to, and I wanted you to know that.

**STATEMENT OF MR. H. E. WILLS, REPRESENTING THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS.**

Mr. WILLS. Mr. Chairman and gentlemen, you know the train can not start without the locomotive, so I speak to you to-day on behalf of the Brotherhood of Locomotive Engineers indorsing this bill.

I only want to detain you a moment. I feel that I am in the position of the farmer who had printed and posted in his dining room a motto so that when the help came in to eat he would simply refer to that to save time, and would say, "See; those are our sentiments."

I want to say to you that the Brotherhood of Locomotive Engineers and the Brotherhood of Fire and Enginemen, whom I have the honor to represent upon this occasion, want to put their stamp of approval upon what Mr. Clark and Mr. Spear have said in behalf of this legislation. I would not take back a word of what they have said, except to say that our organization has not had a convention since this bill was introduced, and we are not in a position to have taken convention action upon this matter. But I am authorized as one of the executive officers of the Brotherhood of Locomotive Engineers to put my stamp of approval on their statements here, and I hope and trust that enough has been said to satisfy this committee that it will be a simple act of justice to report favorably on this bill which is now pending before you. I thank you.

**STATEMENT OF MR. EDWARD F. M'GRADY, LEGISLATIVE REPRESENTATIVE AMERICAN FEDERATION OF LABOR.**

Mr. M'GRADY. Mr. Chairman and members of the committee, I desire to submit for the record the following telegram:

CINCINNATI, OHIO, June 20, 1922.

Hon. JULIUS KAHN,

*Chairman Committee on Military Affairs,*

*House of Representatives, Washington, D. C.:*

The American Federation of Labor, which is holding its forty-second session in Cincinnati to-day, considered Senate bill 28, which provides for granting honorable discharges to former members of the Russian Railway Service Corps, and which is now pending before the Committee on Military Affairs of the House of Representatives. The convention strongly indorsed the bill as a meritorious measure and an act of common justice, and respectfully petitions your committee to take prompt and favorable action thereon.

SAMUEL GOMPERS.

There is not anything further that I can add for the benefit of the committee, except that we are vitally interested in these few men who will be affected by this legislation, as we have been interested in the many thousands of men of our organization who answered the call. We hope that your committee will see that justice is done these men.

Mr. SPEAR. Mr. Chairman, Mr. Haggerty, one of my old comrades, has asked if he might have three minutes.

Mr. MCKENZIE. We will be glad to hear Mr. Haggerty.

**STATEMENT OF MR. ALBERT J. HAGGERTY, WASHINGTON, D. C.**

Mr. HAGGERTY. Mr. Chairman and gentlemen of the committee, my thought is that the facts are so full before you in reference to what these men have done, the service they have performed, that no further comment is needed as to that. I will address myself only to the psychology of the situation.

What we ought to think about, what each member of this committee ought to have in his mind as he proceeds to consider the merits of this proposition is, Why are men who, under ordinary circumstances under the orderly procedure of military rules would have been a part of our military organization, not made so because of special circumstances?



They wanted railroad men. You could not by the ordinary processes get into a small compass for a special purpose a group of railroad men who could perform the services required of them. So they adopted this special means to get the men. It was a special measure for the purpose of doing the thing that the Government wanted done.

They brought them in this way: It was a matter of form, gentlemen; it was not a matter of substance. The substance was the military end of it. The assistance we were giving to our foreign countries, those we were helping while we were helping ourselves, was military. They wore our uniform; they represented us, and those men told their families, their wives, and their children that they were a part of the Military Establishment. They understood it that way, and men of that caliber do not volunteer to enter the service of the United States Army unless they feel they are doing faithful service to their country.

Some one has said they were over the draft age, and many of them were.

But, laying all that aside, I have not heard before this committee, and I have attended some of the meetings and I read part of the record—I have not heard an objection in substance—any material objection—to giving these men the status they are asking. They are not asking you to give them any money, or anything like that. They are asking you to give them the status which is commensurate with the service they have performed, and I think none of you will disagree with the statement that it was not different from that which the soldiers of the United States performed on European and Russian soil, both officers and men. That is all they are asking you.

What is the objection? The War Department says that all they can find on their records is that this form was resorted to; so it was a matter of form. But the men were subjected to all the circumstances and conditions that surrounded every single soldier who went abroad to foreign countries and who was engaged in the war.

Now, what objection can there be, because the War Department says we do not think these men are entitled to the status of commissioned officers of the United States Army? So here we are after the war is over. We should bear in mind the situation which existed at the time the war was on, with the turmoil and anxiety there was in everybody's mind, and the desire to rush to the defense of the country. Now, when men said, "Let me go; let my son go; let us all do everything we can." Now, when it is all over and peace is in the atmosphere we have come before the committee to fight and argue and strain ourselves simply to get a status, a recognition, a matter of pride—a matter of pride that ought to be a matter of pride to the Government itself, not only of the individual, to get a status as a commissioned officer.

Who is to be hurt or prejudiced by it? Is there anybody who is injured or prejudiced by it? Perhaps the War Department does not like to have too many officers in the Army and perhaps the Government might have some objection to it, but these men are now out of the service. They have served the country; they did what ought to have been done; they did the best they could; they did all that was to be done. They served just the same as every soldier and every officer who was in the Army. Now they have come here before this committee to beg and appeal to the United States Government to give them merely a status, just a recognition to show that they have gone over there to help out.

There might come another time when we need the help of railroad engineers, when we will call upon them, and they will say, "We would like to answer the call, but we will do it this way: We will go as soldiers, but if you want us in that way, muster us in as Army officers." If that situation should arise and there was the need, I daresay there would not be a member of the Committee sitting around this table who would not quickly and unhesitatingly bring them into the service as commissioned officers because we would need them. If you are going to deny the man who has given the country this service this recognition, it will not be so easy to get them the next time they are needed unless they are certain they will go in as regular Army officers and receive the same treatment, because they went through exactly the same hardships as every soldier and every officer. There is no question about that; the only question is, having done that, what we are going to call them. Are they not worthy of the status of an Army officer? What is the objection to it, anyway?

If these men were told at the outset, "We will take you in, we want you to render this service, we want you to give it to your country," and they said,

"We want to go, we do not care how, we will go in any form," is it not only fair and just that they should be given this recognition, that they are asking for? I know Captain Spear, I served under him in the Spanish-American War; he was my captain, and I know him. He would have responded to that call if he had to go as a private at \$15 a month. He would have performed that service. But these men were told they were going into the Army as officers, and they are entitled to this recognition.

Now, I think, gentlemen, they are asking nothing of the committee, nothing of the Congress of the United States, nothing of the Government except the recognition that they were in the war and have it placed upon the record so that this Government will show that they were soldiers. That is what they are asking you to do. It is a simple matter. Who can raise any objection to it? What objection have you heard to it? We have not heard it from the War Department or the State Department.

I think the Spanish-American War was a simple affair compared with the World War. I know whom I am speaking for. I know this man who is here representing these men. I know what kind of man he was. I served under him when I was 19 years of age. He was my captain. These men were over there a year and a half, and I say to you he would not be here nor would the people back of him be here asking for anything of this committee or of the Government of the United States unless they felt it was meritorious.

These men feel that they were soldiers, they feel that they sacrificed as much as any other men who were in the Army. It seems to me as rather peculiar that after having done that, after peace has come over the country, that we have to come here and have the question raised as to their status, as to whether they served their country, and whether or not they were soldiers. It seems to me that is rather peculiar.

There is no question about the service which they rendered. The only question is as to the form. There is no question as to the substance. We are all agreed on that. There is no doubt but what they rendered the service of officers of the Army. I might revert to an expression in law, and ask what is the reason for the rule. I would suggest, if you please, that there is no reason for the rule here, except the form that happened to be followed in the communication, at the time when everybody was engaged in doing all the things that they possibly could do to cure the situation and overcome it.

Mr. WURZBACH. You spoke of appearing before the committee and begging the committee to do something. You understand this matter has been referred to this committee and that these men requested an opportunity to present their side of the case to the committee?

Mr. HAGGERTY. I would like to withdraw my remarks along that line. I was a little bit stirred up.

Mr. WURZBACH. I did not think you understood the situation.

Mr. HAGGERTY. I did not mean to use the expression in the ordinary sense. It was used rather facetiously, if you please.

Mr. WURZBACH. I was satisfied you did not want to convey the impression that this committee was putting these gentlemen in the position of begging for something, but are merely acceding to their request to be heard.

Mr. HAGGERTY. No; I did not intend to convey that impression, and I will be very glad to have that remark stricken out. It was only facetious and largely for emphasis.

I think, Mr. Chairman that is all that I have to say, and I thank you.

Mr. MCKENZIE. We are very glad to have heard you.

Mr. SPEAR. I am very grateful to my old buddy for his kind remarks. It is just the make up of his character, and he can not help that.

As I understand it, Mr. Chairman, permission is granted to put in the indorsement of the American Legion.

Mr. MCKENZIE. Yes.

Mr. SPEAR. I want to say that the Veterans of Foreign Wars are back of this measure. The commander in chief has indorsed it and has asked their legislative representative to speak to the committee; he has spoken to some of you.

I want you to know that the patriotic societies are in sympathy with the measure, as well as the American Legion. Now, Mr. Chairman and gentlemen, you have, perhaps, enough information. If you have not, we can go on with this hearing and give you specific cases that would justify us in asking your favorable recommendation of this bill. That would probably make a re-

port as voluminous as the Muscle Shoals report, and would take about as long to complete it, because there are innumerable instances that justify favorable action upon this bill.

Mr. MCKENZIE. I think, Mr. Spear, in your concluding statement, you might say a few words along the line of the real gist of this proposition which is before the committee. The committee will admit, I think, without any argument on your part that the service rendered by these men was a very valuable service, that they were a splendid organization of American citizens. But the one outstanding thing with which this committee is confronted is the advisability or the right of this committee or of Congress to give to men a military status which they did not have under the Military Establishment. We will be very glad to have you emphasize that point.

Mr. SPEAR. Congress has the authority to do this very thing we ask for, and Congress will when they know the merits of the case, the conditions under which the men went into the service; certainly Congress will feel justified in favoring this measure. The State Department has given it their indorsement. Their representative inadvertently made a statement in regard to our inactivity which was not correct, but I believe that has been corrected by the records. The inactivity which was referred to was the most difficult duty imaginable, if you please, gentlemen; these men attended school and conscientiously studied the Russian language; you who know anything about the Russian language will appreciate what a difficult task that was. So there was no inactivity at all.

Now, the State Department has indorsed this bill, and want to give us what we are justly entitled to. The War Department has not given any substantial objection to it except that, perhaps, it might be establishing a precedent. I am sure you will not recognize that as a meritorious objection. The war zone that these men were in was all the way from the Ural Mountains to Vladivostok. Our Army was in a very small portion of it. Our officers have been recommended for recognition for meritorious services by foreign nations and by our Government also, although no action has been taken by our Government, while foreign Governments have rewarded them for their services. I could go on indefinitely, but I think I will close by saying that I am confident that you gentlemen who are here are thoroughly convinced that we should have this bill favorably reported, and I hope, in a spirit of justice, in a spirit of fairness, and as a reward of merit, that you will reason with your absent members to favorably report this bill.

I want to thank you, Mr. Chairman, and the members of the committee for what you have done and for your patience in listening to the presentation of our case.

Mr. MCKENZIE. We realize it is a very important matter, Mr. Spear.

Mr. SPEAR. It is very important to us, although perhaps not so much so to the Nation at large, except in the final effect. In the future people will hesitate to volunteer in a service so important as this unless they have the provisions in black and white, and we thought we had that. Every bit of evidence submitted indicates that, and I trust, gentlemen, that you will put yourselves in our position and then vote as your conscience may dictate, and reason with your associates along that line.

Mr. CROWTHER. You spoke about the State Department having recommended this legislation. Does that refer to any evidence given the other day by Mr. Poole?

Mr. SPEAR. I believe Mr. Poole indorsed the bill. He read a letter which the Secretary of State had previously written to Senator Wadsworth, the chairman of the Senate Committee on Military Affairs, indorsing the bill.

Mr. CROWTHER. That is, Secretary Hughes?

Mr. SPEAR. Secretary Colby was Secretary of State at that time, and the letter asked for favorable consideration of the bill.

Mr. MCKENZIE. You stated the War Department had not given its approval, and that its objection was founded on certain technicalities, etc. My recollection of the testimony of the officer who appeared before the committee was that he was not hostile and was not friendly, but that he was simply laying before the committee in an impartial way certain documentary evidence.

Mr. WURZBACH. And the representative of the State Department said that the State Department was not indorsing this particular bill, but just generally thought these men ought to be given some consideration.

Mr. CROWTHER. I would like to ask if Colonel Emerson has ever been before the committee?

Mr. MCKENZIE. No.

Mr. CROWTHER. Is he the \$20,000 colonel?

Mr. SPEAR. I think so.

Mr. CROWTHER. There are some conflicting statements in the letter he has written. For instance, there is a letter he wrote regarding having posted a notice to these men, in which he says these men were advised of the situation, according to Colonel Emerson, the commanding officer of the unit, by this notice being posted in the barracks in St. Paul. Then later he makes an affidavit, which I think is very pertinent, to the effect that the exemption board recognized that these men were going into Regular Army service. As I understand it, they could not exempt them for anything else, could they? When they were on the list and had been assigned they could not exempt them unless they were going into the Regular Army service?

Mr. PARKER. I think they exempted men for civilian needs at home.

Mr. SPEAR. I think the reference contained in that bulletin was that we could have the insurance; that is all. That is not denied, although I did not see it. But that is not strange, because bulletins were put on the board every five minutes.

Mr. CROWTHER. That was perhaps one of the first things that led to some hesitancy and some doubt as to the status when you found you could not be Regular Army men if you were denied the war risk insurance.

Mr. SPEAR. That bulletin was put up just before we went away, when hundreds of others were being put up every few minutes.

Mr. CROWTHER. I am referring to the fact he writes this in his letter to Mr. Decker: "On my return to St. Paul I immediately posted a bulletin to the effect that the department ruled we were not entitled to war risk insurance; so all concerned understood the matter thoroughly."

Here is another statement he makes [reading]:

"There was no question raised about our status until the arrival of the American regular troops at Vladivostok, when some of the officers questioned our right to wear the United States uniform and insignias of rank. The matter was taken up through Mr. Stevens."

Mr. Stevens was an important man, was he not? He was the head of this force?

Mr. SPEAR. He is there now.

Mr. CROWTHER (continues reading): "Who, in turn, referred same to Washington. He received advice to the effect that the Russian Railway Service Corps was a semimilitary organization and had no connection with the armed forces of the United States, therefore were not entitled to the usual privileges enjoyed by United States Regular Army officers."

Mr. WURZBACH. Who wrote that letter?

Mr. CROWTHER. It was written by Colonel Emerson, the former colonel of the corps, to Mr. Decker. That is on page 6 of the last hearing.

Mr. HAGGERTY. May I make a suggestion? I think the chairman has put a very pertinent question on the record. He asked the question, as I understood it: Assuming that these men of the Russian Service Corps had no status as a part of the military organization of the United States, let us now consider the question of the advisability of—I think that is the way he put it—the advisability of Congress, after the war is over, giving to these men a status.

I submit, Mr. Chairman and members of the committee, that all that has been said upon this record to show the service that was rendered by these men by their action on behalf of our Government and foreign governments must necessarily be conceded and is undisputed by the War Department or by anybody else. Hence, I say the question asked by the chairman is pertinent. He looks at the form in which the men were inducted into the service. If these men, if the correct form had been known to them, were just as willing to be inducted into the service under a special status as they would have been under a status set by the War Department, or as commissioned officers.

As to the advisability of this action, when the committee comes to consider that question I think you should bear in mind what was done as a practical matter, and not consider the form at all, because what lead up to this situation does not matter, it is not relevant, it has no bearing on the status of these men, except as a matter of form. That is the only way you could consider it.

You might say we have considered all the facts and circumstances, and we think as a matter of form these men were not mustered into the United States

Army, they were not a part of our military forces. That being true we feel we can not give them that status, although for what reason I do not know.

Mr. CROWTHER. I think that is understood very thoroughly. But I want to go further than the bill goes. I would like to place the responsibility ~~for~~ mis-leading these men. I want to go still further than this bill goes.

Mr. HAGGERTY. I am in sympathy with that myself, and I say. "More power to you."

Mr. CROWTHER. I would like to place at least some of the responsibility, because it looks to me as if there had been a little artful dodging engaged in.

Mr. SPEAR. I think it has been said that the bill was not exactly clear, and that it might take in the replacements and the Baldwin contingent. It was not our intention to do that, and we have here a suggestion for an amendment if you care to amend the bill.

Mr. MCKENZIE. You might put that in the record.

Mr. SPEAR. We suggest the following amended bill:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers who are or have been in the Russian Railway Service Corps, organized by the War Department in 1917, under the authority of the President of the United States, and who were in the active service of the corps on or after the 6th day of April, 1917, and before the 11th day of November, 1918, not including the contingent organized by the Baldwin Locomotive Works, which was attached to this corps, shall henceforth have the status as to honorable discharge, when they are, or if they have been, honorably discharged from such service, of officers honorably discharged from the Army of the United States.

*"That any officer in the active service of this corps, who, while in such service, has died, shall be deemed to have applied for and to have been granted insurance payable \$25 per month to his widow from the time of his death and during her widowhood, or if there is no widow surviving him then to his child or children, or if there is no child surviving him, then to his mother, or if there be no mother surviving him, then to his father, if and while they survive him: Provided, however,* That no more than two hundred and forty of such monthly installments shall be so paid."

Mr. CROWTHER. What were the Baldwin men, assemblers and mechanics?

Mr. BEST. Yes. They were sent back from Japan.

Mr. PARKER. What did the Baldwin contingent do?

Mr. SPEAR. Nothing. They were to assemble locomotives which the Baldwin Co. had sold to the Russian Government, or which had been sold by this Government to the Russian Government.

Mr. CROWTHER. Did they go with you?

Mr. SPEAR. They went on the same boat.

Mr. CROWTHER. They were not commissioned?

Mr. SPEAR. They were in just about the same position as our men.

Mr. CROWTHER. They will come to us a little later on, will they not?

Mr. SPEAR. No. They came back.

Mr. PARKER. Were they under War Department orders, too?

Mr. SPEAR. Just the same as our corps.

Mr. PARKER. They had an order to go?

Mr. SPEAR. The same as we did.

Mr. BEST. They got their orders from the Baldwin Locomotive people. We had had no knowledge as to what was said to them.

Mr. PARKER. Did they get any orders from the War Department?

Mr. BEST. We do not know about that.

Mr. PARKER. I wanted to know whether they had orders, as the Red Cross had; I wanted to find out how many organizations had orders from the War Department, which sent them forward, to do auxiliary work without commissions.

Mr. BEST. The order which Major Torrey presented only covers the railroad men.

Mr. PARKER. Was there any other order?

Mr. BEST. Not to our knowledge.

Mr. MCKENZIE. I think we have covered the situation pretty fully, and I want to say we are much obliged to you gentlemen for the information you have given us.

(Thereupon the committee adjourned.)

## EXHIBIT A.

[Local board, Division 10, St. Paul, Minn. Form No. 117, prepared by the Provost Marshal General. Form of certificate made by commissioned officer in the branch of the military or naval service in which a person sought to be exempted from serving.]

CERTIFICATE OF COMMISSIONED OFFICER IN SUPPORT OF CLAIM OF EXEMPTION OF  
A PERSON IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES.

I, George H. Emerson, hereby certify that I am a commissioned officer in the Russian Railway Service Corps, and that I hold the rank of colonel, and that I am now on duty en route to Russia, and that I am personally acquainted with Robert Dudley Lewis, who has stated to me that he is 30 years old and that his permanent residence is at 1374 Grand Avenue, St. Paul, Minn., and that Serial No. 1471 was given to him by local board, Division 10, St. Paul, Minn., and that no claim for his exemption was filed with such local board on the — day of —, 191—, on the ground that he was in the military-naval service of the United States.

I do further certify that the said Robert Dudley Lewis is now in the military service of the United States in the Russian Railway Service Corps thereof, under Col. George H. Emerson, and that his present rank is second lieutenant; that the date of his acceptance of commission in said service is the 1st day of November, 1917, and that the period of his commission is five years, and that such acceptance of commission took place before he received notice from the local board to appear for his physical examination.

I do further state that I will at once notify the said local board, during the period of my present assignment of duty, whenever the conditions entitling him to exemption cease to exist, and will request my successor to give similar notice.

GEO. H. EMERSON.

(Signature of officer making certificate.)

## EXHIBIT B.

MINNEAPOLIS, MINN., October 4, 1917.

Mr. R. D. HOWIE, *Fort Dodge.*  
Mr. H. MCCARTHY, *Cedar Lake.*  
Mr. F. O. COLEMAN, *Watertown.*  
Mr. E. R. KERWIN, *Marshalltown.*  
Mr. J. L. BRUMMET, *Monmouth.*  
Mr. WM. GEMLO, *Watertown.*  
Mr. L. D. BROWN, *Fort Dodge.*  
Mr. C. B. ROGERS, *Marshalltown.*  
Mr. L. C. MINCHER, *Monmouth.*

GENTLEMEN: In a conference at St. Paul yesterday of representative railroad men in the Northwest we were advised that Mr. George H. Emerson, general manager Great Northern Railroad Co., has been commissioned to go to Russia to direct and assist in the operation of the Russian railroads. He will take with him 12 complete division organizations of train dispatchers, train masters, traveling engineers, line repairers, foundry, boiler, machine, engine-erecting and roundhouse foremen, telephone erectors, mechanical superintendents, and master mechanics.

A specific call has been made on the Minneapolis & St. Louis Railroad Co. to furnish three train dispatchers and one road foreman of engines, although it is desired that applications be submitted by anyone for any of the positions above enumerated. Two hundred and six men in all are to go October 25 from some Pacific coast port, if possible. Any shortage in this number will probably be called upon to go November 25.

Mr. Emerson will desire to see personally any men that are indorsed by the officials of this company. It will be necessary for those desiring to enter this service to take with them three letters of recommendations from their superior officers and pass a physical examination which, it is not expected, will be very rigid, but the men must be in good physical condition so as to take an active part in the operation of the Russian railroads in a cold climate. These men will not be in the war zone, but will be enlisted in the United States Army and given commission officer's rank, the enlistment to be for the period of the war. They must be men of experience, good character, and of mature judgment. Men with families will be accepted, and to protect them the salaries

which may be agreed upon will be deposited in any United States bank that the party may designate for the use of their families and the men themselves will have their expenses during the entire term of this service.

We consider this a very fine opportunity for some of our best railroad men to serve our own country. Mr. Daniel Willard, president Baltimore & Ohio Railroad, has said that whatever may be done to advance the interest of our allies is going to reduce the number of our young men who must go on the firing line. This is therefore a "patriotic call" to our men. We hope they may respond in goodly numbers.

You will individually carry this message to every man you can reach who, in your judgment, will be willing to consider such a proposition, assuring men that upon their return to this country they will be given same positions which they have left, or positions equally as good, assuming, of course, that they will come back in physical condition to make it possible to perform their regular service.

R. G. KENLY.

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EXHIBIT C.

STATE OF IOWA,

*Appanoose County, ss:*

I, Howard Garfield Anderson, of Centerville, Iowa, depose and say:

That in October, 1917, in response to call for men of railroad experience for Russian service, I went to St. Paul, Minn., and after being given physical examination, as well as examination concerning my railway experience, did make application to the War Department for a commission as second lieutenant in the Russian Railway Service Corps, it being my understanding at that time and for nearly one year later that said Russian Railway Service Corps was organized in the same manner as other corps which had been sent to France.

I further say that commission as second lieutenant was granted me, and that I had no reason whatever to doubt that the commission given me was regular and the same as those given officers in the Regular Army of the United States.

I further state that in Siberia I wore the regulation uniform of officers of the United States Army; that I was given the courtesies of such; and that I carried an automatic pistol such as furnished officers of the United States Army.

I further state that in August, 1918, I left Vladivostok, Siberia, with the first troops of the United States Army to leave that port, and was stationed at a tunnel 49 versts from Vladivostok to guard said tunnel, and that a telegraph wire was connected to a sentry box and that it was my duty to be constantly near said sentry box in order that I might summon assistance from other guards located a few miles to the east or west of the tunnel in case of attack.

I further state that at one time while on duty at this tunnel it was necessary for me to guard the east portal of tunnel 49 alone for a period of some two hours, due to transfer of guard detachments and shortage of enlisted men at that particular moment.

I further state that I was in service with the Russian Railway Corps from October, 1917, until January, 1920, and never doubted nor was given any reason to doubt that I was entitled to a discharge from the United States Army on such a form as is given all discharged officers of the United States Army.

HOWARD GARFIELD ANDERSON.

Subscribed and sworn to before me this 16th day of June, 1922.

[SEAL.]

WM. P. GREGORY,

*Notary Public in and for Appanoose County Iowa.*

My commission expires July 4, 1924.

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OTTUMWA, IOWA, June 16, 1922.

The following statements were sworn to and subscribed to before me this date.

L. R. WELLSTEAD, *Notary Public.*

OTTUMWA, IOWA, January 16, 1922.

I hereby make the following statement under oath:

In October, 1917, in response to a call by the United States Government for railroad operating officials to go to Siberia at the request of the Kerensky

government to assist in the movement of munitions and supplies to the eastern front, I went to St. Paul, Minn., to join the Russian Railway Service Corps.

It was my understanding and I was informed by the officers in charge of recruiting that this corps was to be a part of the United States Army. I was commissioned a first lieutenant.

The members of this corps were uniformed in the United States Army uniform, with the exception of lay-down or English-style collar instead of high collar. It was explained that the American uniform was to be changed to the English style. On side of collars we wore Engineer Corps insignia and letters "R. R. S." instead of "U. S."

We were drilled and required to familiarize ourselves with the duties of officers, and continually told by the adjutant, Lieut. S. E. Willis, and other officers in charge that the corps was a part of the United States Army.

We sailed from San Francisco November 19, 1917, on U. S. Army transport *Thomas*.

In January, 1918, on instructions from our commanding officer, Lieut. Col. T. H. Lantry, I made application for war-risk insurance from the United States Government. This was granted, policy mailed my wife, then later canceled.

On arrival in Siberia, in August, 1918, I was furnished a United States Army revolver and required to go armed.

In December, 1918, our uniforms were changed to the regulation Army uniform, letters "U. S." on right side and "R. R. S." on left side, with regulation Engineer Corps insignia.

Until some time after the armistice was signed our commanding officers insisted that we were a part of the United States Army, and we were led in every way to believe this.

I was 40 years of age in 1917, with a wife and three children, with very little chance of being drafted. I joined the Russian Railway Service Corps in good faith, believing that I was joining a branch of the United States Army to help my country at war.

F. E. HAINES.

#### STATE OF MINNESOTA,

*County of Ramsey, ss.*

On this 13th day of June, A. D. 1922, personally appeared before me, James Louis Duffy, a resident of Fairview, county of Richland, State of Montana, whose postoffice address is care of Great Northern Railway, Fairview, Mont., who, being duly sworn, says that he is 39 years of age, and makes the following statement:

About October 1, 1917, I was attending conference with George H. Emerson, general manager Great Northern Railway, and was advised by him that he was called to Washington in connection with organizing a corps of engineers as a war measure to go to Russia for the purpose of restoring transportation on the Russian railways, and in order to move men and military supplies to bolster up the Russian west front. On my inquiry as to the procedure necessary to volunteer for this service, I was told by him that it would be necessary to make out the regular application blank of commissioned officers in the United States Army for this service. Blank was furnished and properly filled out to the grade of first lieutenant. I was examined by physician and later on notified of my acceptance. It was my understanding and that of Mr. Emerson that I was to be commissioned in the Regular Establishment of the Army, which impression I had until I had been in Siberia several months. During my service in Siberia I wore the regular United States Army uniform with insignia and was accepted and received as a commissioned officer of the grade of first lieutenant of the United States Army.

I became ill with the flu about November, 1918; was sent to Vladivostok and placed in the United States evacuation hospital and was treated as a commissioned officer for three weeks and then put aboard the U. S. transport *Thomas* in December, 1918, and transferred to the Letterman General Hospital at San Francisco for observation and treatment. During the voyage across from Vladivostok to San Francisco I was under the immediate charge and care of United States Army doctors and nurses. Was transferred by the Army doctor aboard ship to the Army hospital as above mentioned.

I was admitted at the Letterman General Hospital as a United States Army officer and received treatment until on or about April 1, 1919, when, upon recommendation of the board of Army doctors, I was given a regular



United States Army discharge, at the same time receiving vouchers for pay as a first lieutenant, travel allowance, and a bonus of \$60.

JAS. L. DUFFY.

Subscribed and sworn to before me this 13th day of June, 1922, and I certify that the foregoing affidavit was read and explained to affiant before he signed the same, and that I have no interest, direct or indirect, in this matter.

FRED S. FONDA.

*Notary Public, Ramsay County, Minn.*

My commission expires Oct. 17, 1926.

STATE OF MINNESOTA,

*County of Wilkin, ss.:*

I, Duncan John Ritchie, of county and State aforesaid, do certify that I was a member of the Russian Military Service Corps in the capacity of second lieutenant, commission dated November 1, 1917, and acceptance of resignation from The Adjutant General's Office, War Department, Washington, D. C., dated March 18, 1920.

At the time of making application for enlistment in the above-mentioned corps I was under the impression that I was applying for enlistment in the United States Army, and being of draft age I reported to local board for the county of Eddy, State of North Dakota, at New Rockford, N. Dak., to apply for release from draft to enter the military service of the United States, and I received from them release as follows:

"Dated October 31, 1917. This is to certify that Duncan John Ritchie has not been called for military service. Serial No. 551, order No. 452. (Signed) M. C. Stensby, chairman; C. McLachlan, M. D.; James McLachlan, clerk."

DUNCAN J. RITCHIE.

Personally appeared before me, E. J. Hanson, a notary public in and for county and State aforesaid, Duncan John Ritchie, to me personally known, who acknowledged to me that he has read foregoing and that he signed same as his free and voluntary act and deed.

[SEAL.]

E. J. HANSON,

*Notary Public, Wilkin County, Minn.*

My commission expires October 27, 1927.

I hereby make the following statement under oath:

In September, 1917, I joined the Russian Railway Service Corps. At that time my age was 28, and I was subject to the draft, being registered at Hibbing, Minn.

The regular form for exemption from draft because of entering the military or naval service of the United States was filled out for me and sent to the draft board at Hibbing by direction of Col. G. H. Emerson, of our corps.

WM. C. JONES.

Subscribed and sworn to before me, notary public in and for Douglas County, Wis., this 16th day of June, 1922.

[SEAL.]

EUCLED L. JOHNSON, *Notary Public.*

My commission expires the 17th day of December, 1922.

I, the undersigned, E. M. Herring, of Portland, Oreg., make oath and say that in October, 1917, our Government issued a call for volunteers for service on the railroads of Russia, such service to carry officers' rank in the United States Army. Furthermore, I was told by superior officers of the Spokane, Portland & Seattle Railway (my employers), through whom I volunteered, that the Russian service would carry military rank and title, and as an exhibit I am attaching hereto the original bulletin issued over the signature of Mr. G. E. Votaw, superintendent, Spokane, Portland & Seattle Railway, which says in part: "Each position will be given military title." I was repeatedly told by Col. G. H. Emerson, Lieut. Col. T. H. Lantry, and Maj. J. C. Gravis that the Russian Railway Service Corps was an actual and active part of the United States Army.

I received an appointment from the President of the United States, signed by The Adjutant General of the United States Army, appointing me a first

lieutenant in the Russian Railway Service Corps, and was told by my commanding officer, Col. G. H. Emerson, before my departure from port of embarkation, that this was an emergency form and regular commission would follow.

E. M. HERRING.

Subscribed and sworn to before me, S. L. Barnett, a notary public in and for the county of Multnomah, State of Oregon, this 13th day of June, 1922.

[SEAL.]

S. L. BARNETT,  
Notary Public for Oregon.

My commission expires November 19, 1924.

I, the undersigned, James Welch, of Portland, Oreg., make oath and say that early in October, 1917, a call for volunteers for service on the railways of Russia was issued by our Government, such service to carry military rank and title in the Army of the United States. Furthermore, I was told on numerous occasions by Col. George H. Emerson that I was an integral part of the United States Army, and I served in the Russian Railway Service Corps with this understanding. I received from the President of the United States, over the signature of The Adjutant General of the United States Army, an appointment as first lieutenant in the Russian Railway Service Corps, and was told by my commanding officer, Colonel Emerson, before sailing from San Francisco, that this was an emergency form and that a regular commission was to follow.

JAMES WELCH.

Subscribed and sworn to before me, S. L. Barnett, a notary public in and for Multnomah County, Oreg., this 12th day of June, 1922.

[SEAL.]

S. L. BARNETT,  
Notary Public for Oregon.

My commission expires November 19, 1924.

INVER GROVE, MINN.,  
June 15, 1922.

To whom it may concern:

I, H. G. Tatum, do hereby solemnly swear that when I enlisted in the Russian Railway Service Corps in October, 1917, I was told by Col. George Emerson that we were to serve our country in time of need and that the Russian Railway Service Corps was a part of the United States Army, and that I believed that I was entering the United States Army for service overseas.

Yours truly,

H. G. TATUM.

Subscribed and sworn to June 15, 1922.

[SEAL.]

A. ERICKSON,  
Notary Public, Dakota County.

My commission expires May 27, 1926.

OMAHA, NEBR., June 17, 1922.

Mr. R. S. BEST, Washington, D. C.

DEAR SIR: I, the undersigned, make oath and say that in November, 1917, I reported at St. Paul, Minn., in answer to call for volunteers for railway men for military service in Russia, it being stated that we were to be officers of the United States Army and receive commission of second lieutenant, signed by the President of the United States.

I responded thinking it was my duty and that we were an actual part of the United States Army.

Yours respectfully,

J. E. MCMANUS.

STATE OF NEBRASKA,

County of Douglas, ss:

Subscribed in my presence and sworn to before me this 17th day of June, A. D. 1922.

[SEAL.]

C. W. KROHL, Notary Public.

My commission expires January 4, 1925.

We, the undersigned, F. W. Keeler and W. C. Jones, of Superior, Wis., make oath and say that in October, 1917, our Government issued a call for volunteers for service on the railroads in Russia, such service to carry officers' rank in the United States Army. Furthermore, we were told many times by our colonel, George H. Emerson, and by Lieut. Col. T. H. Lantry that we were an actual and active part of the United States Army, and we served in the Russian railway service with this belief and understanding.

We received an appointment from the President of the United States, signed by The Adjutant General of the United States Army, appointing us as second lieutenants in the Russian Railway Service Corps, and were told by our commanding officer, Colonel Emerson, before we departed from San Francisco for Russia that this was an emergency form and regular commissions would follow.

F. W. KEELER.  
WM. C. JONES.

Subscribed and sworn to before me, a notary public in and for Douglas County, Wis., this 16th day of June, 1922.

[SEAL.]

EUCLID L. JOHNSON,  
Notary Public.

My commission expires on the 17th day of December, 1922.

ELIZABETH, N. J., June 17, 1922.

Mr. R. S. BEST,  
Washington, D. C.

DEAR SIR: I, the undersigned, William O. Strack, of Elizabeth, N. J., make oath and say that on October 17, 1917, our Government issued a call for volunteers for service on the railroads in Russia, such service to carry officers' rank in the United States Army. Furthermore, we were told many times by our colonel, George H. Emerson, and by Lieut. Col. T. H. Lantry that we were an actual and active part of the United States Army, and we served in the Russian Railway Service Corps with this belief and understanding. We received an appointment from the President of the United States, signed by The Adjutant General of the United States Army, appointing us as second lieutenants in the Russian Railway Service Corps, and were told by our commanding officer, Colonel Emerson, before we departed from San Francisco for Russia that this was an emergency form and regular commissions would follow.

Very truly yours,

WILLIAM O. STRACK.

Signed, sealed, and delivered June 17, 1922, in the presence of

[SEAL.]

THOMAS J. BOYLE,  
A Notary Public of New Jersey.

OTTUMWA, IOWA, June 16, 1922.

To whom it may concern:

I solemnly swear the following statement under oath:

"That in October, 1917, in response to a call from the United States Government for railroad operating officials for service in Siberia to assist the Kerensky Government to operate the Trans-Siberian Railroad and expedite the transportation of munitions to the eastern front, I went to St. Paul, Minn., to join the Russian Railway Service Corps.

"That I was informed at the time of enlistment by officers in charge of recruiting the corps that we were to be part of the United States Army and personally was commissioned a first lieutenant.

"Further, that at time of intervention in Siberia by the United States Army, was personally assigned to the city of Omsk, Siberia, something like 4,000 miles into the interior, this being 2,000 miles beyond American troop protection; at this point, under the Kolchak Government, was assigned to assist in evacuating and expediting troops to the front. Amidst the typhus and other conditions did not falter once to perform the duties assigned to me; not once it occurring to me but what I was member of the United States Army.

"Further, that during the days of the evacuation of Omsk, Siberia, from the Bolsheviks I worked two days and nights with practically no rest to get the American consul train assembled for a safe evacuation, for which I was highly commended.

"Being that I was 35 years of age in 1917 and above the draft age, I joined the corps in good faith, and had I an intimation that I was not member of the United States Army would not have joined.

"R. C. WELLS."

The above statements were sworn and subscribed to before me this date, June 16, 1922.

[SEAL.]

L. R. WELLSTEAD,  
Notary Public, Ottumwa, Iowa.

OTTUMWA, IOWA, June 16, 1922.

I hereby make the following statement under oath:

"In October, 1917, in response to a call by the United States Government for railroad operating officials to go to Siberia to assist the Kerensky government operate the Trans-Siberian Railroad, to enable them to transport munitions and supplies to the eastern front, I went to St. Paul, Minn., to join the Russian Railway Service Corps.

"I was informed by the officers in charge of recruiting the corps that this corps was to be a part of the United States Army. I was commissioned as a first lieutenant.

"We were uniformed in United States Army uniform, except that our blouse had roll instead of high collar, and we wore the letters 'R. R. S.' on each side of our collar instead of 'U. S.' It was explained to us that the roll collar had been adopted as the new uniform for the Army.

"We were drilled daily, required to familiarize ourselves with the duties of officers, and told daily by the adjutant, Lieut. S. E. Willis, and other officers in charge that the corps was a part of the United States Army.

"I sailed with this corps from San Francisco, November 19, 1917, on United States Army transport *Thomas*.

"In January, 1918, or thereabouts, on instructions from Lieut. Col. T. H. Lantry, I made application for war-risk insurance from the United States Government, which was granted, policy mailed my wife, then later recalled.

"On our arrival in Siberia in August, 1918, we were armed with United States Army revolvers and automatic pistols.

"In December, 1918, our uniforms were changed to the regulation Army uniform with high collar, letters 'U. S.' on right side, and 'R. R. S.' on left side.

"Up to and after the armistice was signed we were at all times told by our commanding officers, and led in every way to believe, we were a part of the United States Army.

"I was 33 years of age in 1917, and above the draft age. I joined this corps in good faith, in the belief that I was joining the United States Army to help my country in her hour of need.

"F. B. LEONARD."

The above statements were sworn and subscribed to before me this date, June 16, 1922.

[SEAL.]

L. R. WELLSTEAD,  
Notary Public, Ottumwa, Iowa.

OTTUMWA, IOWA, June 14, 1922.

Mr. R. S. BEST,  
Washington, D. C.

DEAR SIR: I make the following statements under oath:

"In October, 1917, I volunteered for service in the Russian Railway Service Corps, was accepted, and given an appointment, authorized by the President of the United States, as second lieutenant in this corps.

"I understood on joining this corps and receiving the above appointment by the President that I was unquestionably joining the United States Army and I served with this understanding for about 18 months before there was any question in my mind as to the status.

"I applied for war-risk insurance in favor of my wife, and the War Department notified her that such application had been made.

"All correspondence passing out in regard to this corps was on War Department stationery.

"When I was given appointment at St. Paul, Minn., prior to our departure for Siberia, I was told that regular form of commission would follow.

"After arriving in Siberia I was given the regulation style of uniform together with regular insignia of the United States Army, including the gold bars for second lieutenant. Up to this time we wore the low collared blouse which we were furnished at St. Paul and told that the low collar was being adopted for overseas service.

"During the time of enlistment there was not the least thing to arouse my suspicion that we were being misled.

"I further state that if I had learned the true status of this corps before sailing I would never have gone, but would have gone to France, where upon my return home I could have enjoyed the privileges of an Army man. With the present status of the corps, or ex-members of the corps, I have to bow my head in embarrassment when I think of anything connected with the World War, or see the activities of real veterans. I consider it a rank disgrace to allow the status to remain as it stands."

O. A. FRENCH,

*Second Lieutenant Russian Railway Service Corps*

(now train dispatcher C. B. & Q. R. R.).

OTTUMWA, IOWA, June 16, 1922.

The above statements were sworn to and subscribed to before me this date.  
[SEAL.] L. R. WELLSTEAD, Notary Public.

ANDERSON, IND., June 16, 1922.

*All concerned:*

November 1, 1917, I was commissioned a first lieutenant in the Russian Railway Service Corps. At that time, and for more than a year afterwards we were told and fully believed, we were officers of the United States Army. We wore the uniform and insignia of the United States Army and were instructed in military etiquette and it was impressed on us almost daily for more than a year that we were officers of the United States Army. When it came time to receive a discharge we all got a letter from the Chief of Engineers accepting our resignation. We feel we should have Regular Army discharges, as we acted in good faith from beginning to end of our service. Most of us were above the draft age and volunteered our services to do our bit against the enemy.

Yours truly,

W. F. HOCKADAY.

AURORA, ILL., June 16, 1922.

*To whom it may concern:*

This is to certify that late in October, 1917, the undersigned voluntarily became a member of the Russian Railway Service Corps, which was organized in St. Paul, Minn., under the leadership of Col. G. H. Emmerson. I was given to understand this corps was organized under instructions from the President of the United States. The object of the organization was to go into Russia and attempt to open up the transportation lines between Vladivostok and Petrograd. I was given a commission as a first lieutenant, which was signed by The Adjutant General of the United States Army. There was absolutely no question in my mind but what the organization which I joined was a part of the military forces of the United States. Had I thought otherwise I never should have become affiliated with the organization.

G. A. LAUW.

Subscribed and sworn to before me this 16th day of June, 1922.

[SEAL.]

H. J. HASSELL, Notary Public.

Appeared before me this day, June 15, 1922, Daniel C. Putnam, the undersigned, who upon oath made the following statement:

"Following a call from the United States Government in October, 1917, for volunteers for service on the railroads in Russia. I was enlisted in an organization known as the Russian Railway Service Corps at St. Paul, Minn., between

the dates of October 13, 1917, and November 11, 1917, and received a commission of second lieutenant in such corps. At this time of enlistment I was told, and thoroughly believed I was entering in military service of the United States Army, and at all subsequent times I was informed by my superior officers that the above corps was a part and portion of the United States Army and I served for a period of approximately two years under this belief and understanding.

"At the time of enlistment in the Russian Railway Service Corps I was of draft age and previous to my departure for Russia and some time between November 11, 1917, and November 19, 1917, affidavit to the fact that I was already then and there in military service of the United States Government was attested to and copies forwarded to the local draft board at Pasco, Wash.

DANIEL C. PUTNAM.

STATE OF WASHINGTON,

*County of Franklin ss:*

Subscribed and sworn to before me this 15th day of June, 1922.

[SEAL.]

WILLIAM D. MCCRARY.

*Notary Public in and for the State of Washington,  
residing at Pasco, Wash.*

ST. PAUL, MINN., June 14, 1922.

*To whom it may concern:*

This is to certify that I, Thomas J. Kane, upon enlisting in the Russian Railway Service Corps, understood without any doubt whatsoever that I was to be a part of the United States Army and that I was to enjoy all benefits accruing to others of equal rank in the Army. There was no question in my mind at the time I signed the application form but that I was thereafter to be governed by the laws of the United States pertaining to the Army. This understanding was confirmed when I was requested to procure a release from my local draft board in the nature of a written statement to the effect that I had not been called for service.

THOMAS J. KANE.

Signed and sworn to before me this 14th day of June, 1922.

[SEAL.]

HOMER H. HOYT,

*Notary Public, Ramsey County, Minn.*

My commission expires October 15, 1928.

I, the undersigned, Raymond Myron Morse, of Winona, Minn., make oath and say that in October, 1917, our Government issued a call for volunteers for service on the railroads in Russia, to assist that country in the transportation of supplies and munitions to the eastern front, in combating our enemies, such service to carry officers' rank in the United States Army. Furthermore, we were told many times by our colonel "in command," George H. Emerson, and by Lieut. Col. T. H. Lantry, that we were an actual part of the United States Army, and I served in the Russian Railway Service Corps with this belief and understanding.

I received an appointment from the President of the United States, signed by the Adjutant General of the United States Army, appointing me a second lieutenant in the Russian Railway Service Corps, and was told by my commanding officer, Col. George H. Emerson, at the time the appointment was received and before we departed from San Francisco, as well that this was an emergency form and regular commissions would follow.

RAYMOND M. MORSE.

Subscribed and sworn to before me, Earl Simpson, a notary public in and for Winona County, Minn., this 15th day of June, 1922.

[SEAL.]

EARL SIMPSON.

*Notary Public, Winona County, Minn.*

My commission expires November 15, 1925.

STATE OF MINNESOTA.

*County of Ramsey, ss:*

On this 14th day of June, A. D. 1922, personally appeared before me Charles Treat Spear, a resident of St. Paul, county of Ramsey, State of Minnesota, whose post-office address is No. 60 the Marlborough, St. Paul, Minn., who, being duly sworn, says that he is 53 years of age, and makes the following statement:

Having served 21 years in the Minnesota National Guard in the State of Minnesota and 2 years in the Thirteenth Minnesota Volunteer Infantry in the Philippine Islands during the Spanish War and Philippine insurrection, serving in the latter with rank of captain and acting major during the campaign in the Philippines, with mention for bravery by General McArthur and recommended for brevet major by Brigadier General Sommers and Generals Lawton and Reeve (see War Department records, 1898-99), I was given assurance of commission as captain or better in the Quartermaster's Department in the World War and was about to accept when I was urged to accept a majorship in the Engineering Corps going to Russia for the purpose of restoring transportation on the trans-Siberian railroads, and, being assured of a commission, reported to Col. George H. Emerson, head of the corps being organized, later known as the Russian Railway Service Corps; was appointed major by the President of the United States, attested to by The Adjutant General of the War Department on regular application blank. I was examined by physician and notified of my acceptance. Served in Siberia and northern Manchuria about two years, and was given assurance at the time of volunteering that this corps was a part of the United States Army. During my service in Siberia and Manchuria I wore the regular United States Army uniform with insignia and was accepted and received as a commissioned United States Army officer.

On account of previous military experience, the commanding officer, Colonel Emerson, conferred with me on matters of military etiquette, uniform, drills, etc. In fact, I was put in charge of drilling the corps and instructing the unit in the qualifications of an officer and a gentleman, this at the beginning of the organization, in October, 1917, which continued while the corps was in Japan, and while in Siberia and Manchuria drills were maintained and discipline enforced, indicating without a question that the corps was a military unit, the belief being prevalent among the members that they were a part of the United States Army, and they associated with officers of all nations and were received by all as a part of the United States Army. During the service in Siberia and Manchuria the corps maintained a military bearing and favorably impressed all nations represented, including the Russian people, as to the fine qualities possessed by American Army officers.

Some time after arriving on foreign soil I was advised that the corps was a separate unit and not entitled to insurance, this on application for same. This was the first intimation received that members were not a part of the National Army. Since resignations of many members were refused on account of being in military service, every indication justified belief that the corps was a part of the Army. I was treated as a commissioned officer on board transport en route and return to Siberia. My resignation was accepted by the War Department in August, 1919.

CHARLES TREAT SPEAR.

Subscribed and sworn to before me this 14th day of June, 1922; and I certify that the foregoing affidavit was read and explained to affiant before he signed same, and that I have no interest, direct or indirect, in this matter.

[SEAL.]

FRED S. FONDA,

*Notary Public, Ramsey County, Minn.*

My commission expires October 17, 1926.

STATE OF IOWA,

*Union County, ss:*

I, E. J. Supple, being first duly sworn, on oath depose and say that on or about October 17, 1917, I was informed by W. T. Sadler, then the division superintendent Creston division of the C., B. & Q. R. R. Co., that there was being formed in St. Paul, Minn., United States of America, an organization known as the Russian Railway Service Corps, which would be and constitute a part of the United States Army for service in Russia. Believing this to be true, and being past the draft age, and with the desire to render patriotic service to my country, I volunteered for this service, and left Creston, Union County, Iowa, for St. Paul, Minn., on or about October 27, 1917, where I was given an appointment as second lieutenant, from the President of the United States, signed by The Adjutant General of the United States Army. I was from that date and at all times informed and assured by superior officers and instructors that I was actually a part of the United States Army and subject to all its

rules and regulations. I served with corps until my return to the United States on or about October 29, 1919, at which time I was given a letter from The Adjutant General of the United States Army informing me that the Secretary of War had accepted my resignation as second lieutenant in the Russian Railway Service Corps. I further state that I was continuously under men whom I supposed and believed were Army officers, was uniformed and armed, and was drilled, and was under full United States Army regulations. Having so volunteered and served and having so represented myself as being in the United States Army service as a volunteer I now find myself humiliated by the refusal of the United States Government to so recognize me. The service rendered was in every sense a military service and should be so regarded and classified, regardless of the form and manner of induction into the same; any other classification is an injustice to myself and all others who similarly served, and offends the patriotism and pride of all who willingly volunteered such service.

E. J. SUPPLE.

Subscribed in my presence and sworn to, before me, by E. J. Supple this 16th day of June, 1922.

[SEAL.]

B. BROWN,  
*Notary Public in and for said county.*

STATE OF WISCONSIN,  
*County of St. Croix, ss:*

Clarence J. Mattison, being by me first duly sworn, says on oath that it appears from the records of the local board, division No. 15, of the city of Detroit, Mich. that affiant bears serial No. 6564, as given him by said board, certificate of which is hereto attached and made a part of this affidavit, marked "Exhibit A"; that in October, 1917, our Government issued a call for volunteers for service on the railroads in Russia, such service to carry officers' rank in the United States Army. Furthermore I was told many times by Col. George H. Emerson and by Lieut. Col. T. H. Lantry that I was an actual and active part of the United States Army, and I served in the Russian Railway Service Corps with this belief and understanding.

I received an appointment from the President of the United States, signed by the Adjutant General of the United States Army, appointing me as first lieutenant in the Russian Railway Service Corps, and I was told by my commanding officer, Colonel Emerson, before I departed from San Francisco for Russia that this was an emergency form and a regular commission would follow.

Affiant further says that he and others, with their commanding officer, Colonel Emerson, had, on entering the Russian Railway Service Corps, been released by the draft board from draft service under serial No. 6564, and affiant on departing from San Francisco for Russia was furnished with a form to notify such draft board of his departing on such service in the Russian Railway Service Corps and which said copy or form was by affiant sent to such draft board at such time.

CLARENCE J. MATTISON.

Subscribed and sworn to before me this 17th day of June, 1922.

[SEAL.]

B. C. BUNKER,  
*Notary Public, St. Croix County, Wis.*

My commission expires on March 2, 1924.

FORT DODGE, IOWA.  
*July 17, 1922.*

STATE OF IOWA,  
*Webster County:*

I, F. H. Barry, of Fort Dodge, Iowa, make oath and say that in October, 1917, I joined the Russian Railway Service Corps, and being at that time of draft age was excused by the draft board on account of going into the United States Army.

F. H. BARRY.

Subscribed and sworn to before me this 17th day June, 1922.

[SEAL.]

MARTHA REIN,  
*Notary Public in and for Webster County, Iowa.*



St. PETER, MINN., June 16, 1922.

STATE OF MINNESOTA,

*County of Nicollet, ss:*

I, Frank Vickers, was born August 22, 1888, in Chicago, Ill.

My number was drawn in the first draft by the district board of North Dakota and local board of Morton County at Mandan, N. Dak., on August 7, 1917. My serial number being 199 and order No. 257.

I was working at Mandan, N. Dak., for the Northern Pacific Railroad at that time in the capacity of night roundhouse foreman until May 30, 1917, when I was allowed to transfer to Missoula, Mont., on account of hay fever.

I was allowed to take the medical examination on August 7, 1917, and passed.

The Northern Pacific got a discharge for me on industrial grounds.

On October 15 I enlisted in the Russian Railway Service Corps that was being organized in St. Paul, Minn., by Colonel Emerson and was requested to notify the district and local draft boards (where we had registered) of my enlistment in service.

This I know I did but if any answer was given I have forgotten, but I know I have nothing of that nature among my papers.

I enlisted in corps as roundhouse foreman with commission of second lieutenant and was promoted to master mechanic with rank of captain April 1, 1919, and wore the full markings of a Regular Army officer.

As for being a part of the Regular Army by joining the R. R. S. C. that was our understanding from time prior to the enlistment into the corps at St. Paul, Minn., October 15, 1917, until June, 1918, when at Nagasaki, Japan, I received a letter from the War Risk Insurance Board that the insurance I had applied for at the time of enlistment could not be granted as the Russian Railway Service Corps was in no way connected with the Regular Army of the United States of America.

FRANK VICKERS.

Subscribed and sworn to before me, a notary public, this 16th day of June, A. D. 1922.

[SEAL.]

E. E. MILLER,

*Notary Public Nicollet County, Minn.*

My commission expires April 20, 1925.

I, William G. Kubfeld, of St. Paul, Minn., make oath and say that in October, 1917, our Government issued a call for volunteers for service on the railroads of Russia, such service to carry rank as officers of the United States Army. I answered this call and was duly enlisted into what I thought was the United States Army. My wife and family and friends thought the same. My commanding officers continually impressed me with this understanding. I received an appointment as second lieutenant from the President of the United States, signed by The Adjutant General of the United States Army. I did military training in St. Paul, Minn., Japan, and in Harbin, China.

My constant thought and gratification was the fact that I was doing my "bit" as a member of the armed forces of the United States.

WILLIAM G. KUBFELD.

[SEAL.]

MAX WITTMANN,

*Notary Public, Ramsey County, Minn.*

My commission expires July 12, 1924.

STATE OF IOWA,

*Polk County:*

I, the undersigned, J. R. Jones, of Valley Junction, Iowa, under solemn oath do say that in October, 1917, when our country called for men to serve in railway Engineer regiments, I made application through the superintendent of the Iowa division of the Chicago & Rock Island Railroad, as a call had gone out for men to serve with an Engineer regiment to be sent to Siberia. I was selected and notified that I would receive a commission as second lieutenant and to entrain at St. Paul, Minn. Received my appointment and was notified by our colonel, George H. Emerson, that our regular commissions would be issued

later, as the War Department was swamped with work. The appointment I received was signed by The Adjutant General of the United States Army; also the two promotions I received overseas. Everything was in good faith until we were in a foreign country, when a doubt arose as to our status, which was hard to realize.

I prepared myself for any duty, having served in an officers' training school before I received my appointment, and was proud to do my bit for my country, and I sincerely hope that justice will be shown, as I was led to believe I was an actual and active part of the United States Army, and would do it over again under likewise conditions.

JOHN R. JONES.

Subscribed and sworn to by John R. Jones this 17th day of June, 1922.

[SEAL.]

HERMAN RAAZ.

*Notary Public in and for Polk County, Iowa.*

STATE OF MONTANA,

*County of Dawson, ss:*

Joseph R. Hoag, being first duly sworn according to law, deposes and says as follows, to wit:

That on or about the 1st day of October, 1917, a bulletin appeared at the different division headquarters along the Northern Pacific Railway calling upon certain classes of railway officials to volunteer for service in Russia, whereupon I made application for service, and on October 23, 1917, received a wire instructing me to report in St. Paul, Minn., for examination for position as trainmaster with commission as first lieutenant; that I reported in St. Paul and was thoroughly examined by doctor, was vaccinated and received typhoid inoculation, and left St. Paul on November 11, 1917, sailing from San Francisco on November 19.

I was thoroughly under the impression that I was joining the military forces of the United States, which impression was confirmed by my superior officers whenever I made inquiries regarding what seemed to me irregularities in the methods of recruiting the corps, which was known as the Russian Railway Service Corps.

The commissions we received were not the same as given to other officers. I made inquiries and was told that owing to the haste in organizing our commissions could not be gotten out and what we received was merely a notice of commission and that regular commissions would follow.

While stationed in Japan I made application for war-risk insurance, which was granted and policy forwarded to my wife. This policy was later recalled upon the ground that we were not in military service. This was the first authoritative information that I had that this corps was not a part of the military forces of the United States. Had I known this at the time of my enlistment I would not have enlisted.

JOSEPH R. HOAG.

Subscribed and sworn to before me this 16th day of June, A. D. 1922.

[SEAL.]

W. J. MINKIEWITZ,

*Notary Public in and for the State of Montana.*

My commission expires December 23, 1923.

OSKALOOSA, IOWA, June 15, 1922.

*To whom it may concern:*

I, the undersigned, do swear that on ———, 1917, I joined the Russian Railway Service Corps of Engineers at St. Paul, Minn., with the understanding that I was joining a unit of the Regular Army of the United States.

I further swear that on innumerable occasions after joining said corps I was told by Major Blunt that I belonged to the Regular Army of the United States, the Russian Railway Corps being a detached corps.

I further swear that I was told by those in charge of corps in St. Paul that the appointment as second lieutenant received by me was a temporary form of commission and that I would receive regular commission later.

I further swear that the military manner in which the Russian Railway Corps was handled, viz, uniforms and drilling, secrecy of itinerary, side arms,

etc., led me to believe that I was an officer of the Regular Army of the United States.

C. L. KEOPEN.

STATE OF IOWA,

*County of Mahaska, Town of Oskaloosa:*

Subscribed and sworn to before me this 17th day of June, 1922.

[SEAL.]

G. A. ESPERSEN, *Notary Public.*

OSKALOOSA, IOWA, June 15, 1922.

*To whom it may concern:*

I, the undersigned, do swear that on ———, 1917, I joined the Russian Railway Service Corps of Engineers at St. Paul, Minn., with the understanding that I was joining a unit of the Regular Army of the United States.

I further swear that on innumerable occasions after joining said corps I was told by Major Blunt that I belonged to the Regular Army of the United States, the Russian Railway Corps being a detached corps.

I further swear that I was told by those in charge of corps in St. Paul that the appointment as second lieutenant received by me was a temporary form of commission and that I would receive regular commission later.

I further swear that the military manner in which the Russian Railway Corps was handled, viz, uniforms and drilling, secrecy of itinerary, side arms, etc., lead me to believe that I was an officer of the Regular Army of the United States.

C. B. MORGAN.

STATE OF IOWA,

*County of Mahaska, Town of Oskaloosa:*

Subscribed and sworn to before me this 17th day of June, 1922.

[SEAL.]

G. A. ESPERSEN, *Notary Public.*

STATE OF ILLINOIS,

*County of Macon, ss:*

Edward A. Dixon, of 226 North Stone Street, in the city of Decatur, in said county and State, having been first duly sworn, upon his oath deposes and states: In October, 1917, our Government issued a call for volunteers for service on the railroads of Russia, such service to carry officers' rank in the United States Army. Furthermore, I was told many times by Col. George H. Emerson and by Lieut. Col. T. H. Lantry that I was an actual and active part of the United States Army, and I served from November 1, 1917, to January 10, 1920, in the Russian Railway Service Corps with this belief and understanding.

I received my appointment from the President of the United States, signed by The Adjutant General of the United States Army, appointing me first lieutenant in the Russian Railway Service Corps, and was told by my commanding officer, Colonel Emerson, before I departed from San Francisco for Russia that this was an emergency form and regular commissions would follow.

E. A. DIXON.

Subscribed and sworn to before me on this 19th day of June, A. D. 1922.

[SEAL.]

ROY E. OAKLEAF, *Notary Public.*

My commission expires August 3, 1924.

STATE OF MINNESOTA,

*County of Ramsey:*

On this 16th day of June, A. D. 1922, personally appeared before me Harold Eugene Martinson, a resident of White Bear Lake, county of Ramsey, State of Minnesota, whose post-office address is route 2, box 55, White Bear Lake, Minn., who, on being duly sworn, says that he is 35 years of age, and makes the following statement:

At the beginning of the World War I was of draft age and was conscripted by the local board and ordered to report to my local chairman, where I went through all medical examinations and was accepted for service and ordered ready to go to Fort Dodge. Camp not being ready I was directed to wait for further orders, and in the meantime Col. George H. Emerson advised me that a corps of engineers was being organized for service in Russia and a commission as

second lieutenant offered me, being especially qualified along the lines of technical telephonic and telegraphic engineering. I made known to Colonel Emerson that I was conscripted, to which he replied that each man would be assigned to the service for which he was best qualified and fitted, and that I would be transferred to this service. I took up with the local board in St. Paul, made known the circumstances, and on receipt of my appointment from the President of the United States as second lieutenant in the Russian Railway Service Corps my transfer was granted by the conscription board, and I was given the credit of enlistment.

It was my understanding that I was going into the Engineering Corps of the United States Army, which understanding I had practically during the service. Further, from the fact that when it was rumored that the Russian Railway Service Corps was not a part of the Army, I expressed a desire to resign, which was refused on the grounds of being in the service.

After 32 months' active service in Siberia I was given to understand that I would receive an honorable discharge on my return to the United States and I was given an identity by Col. B. O. Johnson, then commanding officer, for my honorable-discharge paper, allowing sufficient time for this paper to reach me after I arrived in the United States. Instead I received a letter from the War Department to the effect that my resignation had been accepted from July 16, 1920, the date of my arrival in St. Paul, Minn., the point of enlistment.

HAROLD EUGENE MARTINSON.

Subscribed and sworn to before me this 16th day of June, 1922, and I certify that the foregoing affidavit was read and explained to affiant before he signed the same, and that I have no interest, direct or indirect, in this matter.

[SEAL.]

FRED S. FONDA,

*Notary Public, Ramsey County, Minn.*

My commission expires October 17, 1926.

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ESTHERVILLE, IOWA, June 16, 1922.

*To whom it may concern:*

During the month of October, 1917, I enlisted in the Russian Railway Service Corps, which at that time was being organized at St. Paul under command of Col. George H. Emerson for the purpose of reorganizing and operating the Trans-Siberian Railway in Russia.

At the time of my joining this corps I was in attendance at the second officers' training camp, being held at Fort Snelling, and it was necessary that I obtain a regular discharge from said service in order to transfer to the Russian Railway Service Corps.

I was told that the Russian Railway Service Corps was a part of the Regular Army, the same as organizations that were being sent to France for the same purpose, and when the notices of our appointments as officers in this corps were given us we were told that regular commissions would be handed us at some later date, the delay being due to the War Department being swamped with business at that time.

I served as second lieutenant in this corps from October, 1917, until May, 1919, and there was no time during this period but what I was told by officers in command of the corps that we were a part of the Regular Army.

As yet I have received neither a regular commission nor a regular discharge for my services rendered in the Russian Railway Service Corps.

KENNETH V. TURNER.

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BEARDSTOWN, ILL., June 16, 1922.

In October, 1917, I joined the Russian Railway Service Corps, organized at St. Paul, Minn. I was appointed Captain and my appointment was signed by The Adjutant General of the United States Army. Mr. George Emerson was in charge of the contingent with the rank of colonel. We were examined the same as all men were examined who regularly joined the Army, and I was told and understood I was enlisting in the Regular Army of the United States, but as a special organization to go to Russia to direct the operation of the Russian railways, efficiently to transport munitions and men to the eastern front which Russia was at that time holding against Germany. It was about one

year after I joined the corps before I learned there was some question as to whether we were a Regular Army organization or not; at any rate, I enlisted in good faith and satisfied I was in the Regular United States Army against Germany.

J. B. ROACH.

Subscribed and sworn to before me by the said J. B. Roach this 17th day of June, 1922.

[SEAL.]

G. H. NEWBERRY, *Police Magistrate.*

AFFIDAVIT EXECUTED BY MR. D. C. SMART, FORMER LIEUTENANT OF THE RUSSIAN RAILWAY SERVICE CORPS.

I, the undersigned, D. C. Smart, of Chicago, Ill., and a former member of the Russian Railway Service Corps, make oath and say that I was transferred from the evacuation hospital of the United States Army at Vladivostok, Siberia, to the Letterman General Hospital in San Francisco, Calif., on an Army order dated Vladivostok, Siberia, on or about December 2, 1918; that I left Vladivostok, Siberia, on the U. S. Army transport *Thomas* on December 3, 1918, arriving in San Francisco, Calif., January 18, 1919; and that the Army surgeon aboard the transport *Thomas* transferred me to the Army hospital in San Francisco on Regular Army transfer orders which he had received from the chief of the evacuation hospital in Vladivostok.

Upon my arrival in the Letterman General Hospital I was given a thorough examination by Army major in charge of that work in said Army hospital, and that said major did order certain treatment of my lungs, teeth, etc.; that I was held in this Army hospital from January 18, 1919, to March 28, 1919, when I was discharged from the United States Army and was given a Regular Army discharge as a second lieutenant of Engineers, United States Army. I was handed a voucher on the Army paymaster for the \$60 bonus, a voucher for travel pay as a soldier at 5 cents per mile from San Francisco, Calif., to St. Paul, Minn., and a voucher on the Army paymaster for 28 days' pay as a second lieutenant of the Army.

Further, while a patient in the Letterman General Hospital I was given an application to fill out stating whether or not I desired to apply for a permanent commission as lieutenant in the United States Army and continue in the service. This I rejected.

J. L. Duffy, first lieutenant of the Russian Railway Service Corps, who was transferred from Vladivostok on the same Army order as myself and who was discharged about the same time as myself, also received a discharge from the United States Army and received the same pay vouchers as in my case.

D. C. SMART.

Subscribed and sworn to before me this 22d day of April, 1922.

CHARLOTTE SCOVEL, *Notary Public.*

*All concerned:*

This affidavit is made and sworn to at Centerville, Iowa, June 3, 1922, by J. C. Climo, former captain in Russian Railway Service Corps.

In October, 1917, our Government made a call for volunteers for service on the railroads in Russia, such service to carry officers' rank in the United States Army.

I was so advised by my superior railway officers and was so told by Col. George Emerson in St. Paul about October 27; that we were to assist in reorganizing Russia's railways, and Trans-Siberian in particular; that it might be possible to move supplies and troops if necessary to the Russian-German front and we would be same as Engineer Corps being raised for France.

I received an appointment from the President of the United States signed by The Adjutant General of the United States Army and served in the corps with this belief and understanding.

In my ignorance of military affairs it never occurred to me to ask technical questions or even doubt the honesty and good faith of my Government, and I accepted service with the patriotic thought that I was a bona fide United States Army officer with rank of captain, same as the Engineering Corps going to France.

I still have at my home a \$10,000 war-risk insurance policy, on which no deductions were ever made; neither were my wife or myself ever notified by the department that it had been canceled. I learned this and also our status after being in Hailar, Mongolia, some six months, through the bulletin of Col. George Emerson, commanding.

I was above draft age and would not have enlisted if I had known the Russian Government was to pay my salary. I stuck after I found this out because it was too late to do anything else.

JOHN C. CLIMO,  
*Former Captain, Russian Railway Service Corps.*

Signed and sworn to this June 3, 1922, at Centerville, Iowa.

[SEAL.]

S. REID PATTERSON, *Notary Public.*

My commission expires July 4, 1924.

ST. PAUL, MINN., June 18, 1922.

DEAR MR. BEST: I have been confined to the house for a few days and have not been able to reach a notary to make an affidavit, but I am writing this letter to affirm what I said before the Military Affairs Committee of the House of Representatives at their previous hearing on S. 28; that at the time of joining the Russian Railway Service Corps and for some time afterwards I thought I had joined a special unit of the United States Army.

At the time of leaving the United States I was within the draft age. My number was away down the list and I had not been classified, but I was a married man and was further exempted from the first few calls due to the position I occupied on the Northern Pacific Railway. After my departure, which you will recall was made very hurriedly, Mrs. Barron reported the circumstances to the draft board, explaining, as best she could with the limited information given us prior to leaving this country, as to the organization of the Russian Railway Service Corps, and the draft board without question made necessary notations on their records and I understand I was marked as being in military service.

Yours very truly,

W. J. BARRON.

Mr. R. S. BEST, *Beardstown, Ill.*

SURF, CALIF., June 19, 1922.

R. S. BEST,

*New Washington Hotel, Washington, D. C.:*

Letters received too late to get sworn statement; proper person administer oaths not available; for information those whom may concern will state that was most positively informed that organization was to be part of Army; was also excused by draft board, Portland, Oreg., account having volunteered service, R. R. S.

J. H. WHITEHEAD.

OMAHA, NEBR., June 17, 1922.

I, G. D. Sewell, of Omaha, Nebr., make oath and say that in October, 1917, our Government issued a call for volunteers for service on the railroads in Russia, such services to carry officers' rank in the United States Army, and I served in the Russian Railway Service Corps with this belief and understanding. I received an appointment from the President of the United States, signed by The Adjutant General of the United States Army, appointing me a second lieutenant in the Russian Railway Service Corps. I remained in the service until December 20, 1919, after serving over two years in foreign lands.

G. D. SEWELL.

Subscribed and sworn to before me, a notary public, Berdena A. Hawley, in and for said county of Douglas and State of Nebraska, this 17th day of June, 1922.

[SEAL.]

BERDEN A. HAWLEY, *Notary Public.*

John M. Dugan, 3739 North Keeler Avenue, Chicago, County of Cook, State of Illinois, deposes and says that on January 26, A. D. 1917, he attained his twenty-seventh year and was subject to the selective-draft law passed by the Congress of the United States to meet the then existing emergency of carrying on the war against the Central Powers, and that being subject to the said law the affiant declares that he presented himself for registration and did register at the location provided for same in the district in which he then resided, and as evidence of compliance with the provisions thereof he received a registration card. Affiant further declares that—

On or about the 15th of October, A. D. 1917, information was received and notice given to all men employed as train dispatchers on the Chicago & North Western Railway, where affiant was then employed, that train dispatchers and other railroad officers were being recruited from among the ranks of the different railroads for service with the United States Army for service on Russian railroads in Siberia and that train dispatchers and others so recruited would be given regular commissions. The affiant, then being a train dispatcher, was classed as a second lieutenant.

Affiant declares that on or about the 28th of October, A. D. 1917, he presented himself at St. Paul, Minn., the location designated as the place of enlistment, and thereupon did enlist with the unit known as the Russian Railway Service Corps, then being organized under the direction of G. H. Emerson, of St. Paul, Minn., who had been general manager of the Great Northern Railway and who was commissioned with the rank of colonel. Affiant declares that during these entire proceedings prior to and subsequent to embarking at San Francisco, Calif., on or about November 19, A. D. 1917, in uniform, on the United States Army transport *Thomas*, which transported the Russian Railway Service Corps to Vladivostok, Siberia, every declaration by Col. G. H. Emerson was to the effect that the members of the corps over which he was the commanding officer was a special unit organized under the direction of the President of the United States as a war measure and that the unit was a part of the United States Army. Believing that he had enlisted in the United States Army, affiant declares that he believed that he was entitled to and did make application for war-risk insurance to the sum of \$10,000 and named his wife, Norma E. Dugan, as beneficiary, and no question was raised as to the status of members of the Russian Railway Service Corps until after they had been in Siberia for a number of months, when applications for insurance were returned by the War Risk Insurance Bureau declining them, stating that the War Department of the United States had declared the members of this corps to be ineligible for war-risk insurance.

Affiant further declares that—

As a member of the Russian Railway Service Corps he was required to and did wear the uniform of an officer of the United States Army of like or similar rank.

That he was required to conduct himself as an officer of the United States Army was expected to conduct himself.

That he exchanged courtesies with officers of the armies of other nations under the belief that he was an officer of the United States Army.

That he received from the War Department at Washington, D. C., from The Adjutant General's office, a letter of appointment signed by Joseph F. Janda, adjutant general, which was declared to have been a temporary commission with the rank of second lieutenant and that the regular commission for said rank would be forthcoming later.

That after remaining in Siberia and in active service with other members of the United States Expeditionary Force under General Graves for more than 18 months, affiant declares that upon his return to the United States on or about July 4, A. D. 1919, he subsequently received another communication from the War Department of the United States stating that the Secretary of War had accepted his resignation as second lieutenant in the Russian Railway Service Corps to take effect on or about July 5, A. D. 1919.

That upon the receipt of said communication, which indicated the acceptance of his resignation, he still was of the belief that he was a part of the United States Army and was entitled to commission and discharge as members on the usual or standard forms; inquired of others who had been members of this corps and from them learned that similar letters of acceptance of their resignations had been received.

That at the time of his enlistment he was the sole support of a wife and their three minor children, and if the true status of this unit had been known

application for enlistment could have been made in an organization the status of which was established.

That before embarking at San Francisco, Calif., he was required to and did fill out a form provided for the purpose, indicating that he had enlisted in the Russian Railway Service Corps, a special unit of the United States Army, which was to be sent and which subsequently was sent to the district draft board in which his residence was located.

That these and other declarations are true and state the understanding of the affiant relative to his application for service and during his period of enlistment, and that they are good and sufficient reasons for him to be entitled to and he should receive the regular form of discharge from the United States Army prescribed for those who are honorably discharged from such service.

JOHN M. DUGAN.

Subscribed and sworn to before me this 17th day of June, A. D. 1922.

[SEAL.]

HARRY S. LYNDE, Notary Public.

LETTER FROM MR. S. M. FELTON, EX-DIRECTOR GENERAL MILITARY RAILWAYS.

Hon. JULIUS KAHN,

*Chairman of the House Military Committee,*

*Washington, D. C.*

MY DEAR SIR: My attention has been called to the brief and argument in support of the bill introduced in the House of Representatives August 23, 1921, providing that the officers of the Russian Railway Service Corps be given the status of officers of the United States Army when discharged.

As I was responsible for the organization of the Russian Railway Service Corps, and am quite familiar with the work they were expected to do, I want to indorse their efforts to secure recognition. In the fall of 1917, by authority of the Secretary of War, I organized, equipped, and forwarded the officers making up that organization.

The work was of great importance and required a very substantial sacrifice on the part of the men undertaking it. They were all volunteers, railroad men selected with a view of filling official positions on the Trans-Siberian Railroad in connection with the operation of that line as far as practicable.

It seems on the return of the men from that service they were deprived of the benefits accruing to officers of the National Army in connection with war-risk insurance and the standing of ex-service men on technical grounds entirely.

My own feeling is that these men are entitled to every reasonable consideration, and I trust that your influence may be enlisted in their behalf.

Yours very truly,

S. M. FELTON,

*Ex-Director General Military Railways.*

HEADQUARTERS TWENTY-SEVENTH INFANTRY,  
*Verkhne-Udinsk, Siberia, January 28, 1920.*

From: Commanding officer, United States troops, Zai-Baikal sector.

To: Maj. Don S. Colby, Russian Railway Service Corps.

Subject: Services with the Twenty-seventh United States Infantry at Habarovsk and in the Baikal sector.

To-day the American forces give up this sector and the commanding officer takes this opportunity of expressing to you his great thanks and the thanks of the officers and men of the Twenty-seventh United States Infantry for the splendid services, assistance, and kindness you have shown to them. Throughout a freezing winter you volunteered and evacuated our sick and wounded from Habarovsk and at the same time greatly assisted in supplying the regiment.

As division superintendent of the Zai-Baikal sector of the trans-Siberian Railroad, your services to the American forces were of the highest order.

As military commandant of the station of Verkhne-Udinsk, during the evacuation of the Czecho-Slovak and the American forces your services were such as to clear up the railroad and render possible this evacuation.



Throughout every dangerous situation you were a tower of strength and assistance. I am fully cognizant of the splendid hospitality and great assistance you have rendered to the American Red Cross.

For all of the above-named reasons I have been pleased to recommend to the commanding general American Expeditionary Forces, Siberia, that you be awarded the distinguished service cross.

Personally I feel myself so greatly your debtor as to be unable to express my thanks.

C. H. MORROW,  
*Colonel, Twenty-seventh Infantry.*

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HEADQUARTERS TWENTY-SEVENTH INFANTRY,  
*Verkhne-Udinsk, Siberia, January 29, 1920.*

From: Commanding officer, Twenty-seventh Infantry.

To: Commanding general American Expeditionary Forces, Siberia.

Subject: Distinguished services of Maj. D. S. Colby, Russian Railway Service Corps.

1. The regimental commander desires to call the attention of the commanding general, American Expeditionary Forces, Siberia, to the distinguished services of Maj. D. S. Colby, Russian Railway Service Corps.

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Copy of a report of the Siberian Veterans' Annual Convention and Banquet, in New York, February 25, 1922, dealing especially with the adoption of following resolution. General Graves personally presided and presented the resolution, saying he saw nothing against its adoption and praising our work highly. Capt. Cody Marsh, at General Graves's request, read the resolution, as follows:

"Whereas the members of the Russian Railway Service Corps, when enlisting in the service, did so under the impression that they were joining the Army of the United States; and

"Whereas it subsequently developed that their status was uncertain, with the result that they have been refused forms of discharge from the United States Army; and

"Whereas the House Military Affairs Committee is at the present time giving consideration to H. R. 6432, providing for the honorable forms of discharge to the former members of the Russian Railway Service Corps; and

"Whereas a like bill, under the title of S. 28, has already passed the Senate of the United States: Be it

*Resolved*, That the Siberian Veterans, in convention assembled, look with favor upon the passage of this measure and recommend to the House Committee on Military Affairs their favorable consideration of this bill; and be it further

*Resolved*, That a copy of this resolution be sent to the House Committee on Military Affairs."

A former Army officer rose, moved the adoption of the resolution, which received seven or eight seconds, and was unanimously passed.

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WILMINGTON, N. C., *June 19, 1922,*

Mr. R. S. BEST, *Washington, D. C.*

DEAR MR. BEST: Having read the hearing of the committee in January in regard to bill S. 28 concerning the status of the Russian Railway Service Corps, I want to say that when I offered my service to go with Colonel Emerson to Russia it was with the understanding that I was to become an officer in the Army of the United States, to be detailed on special service in connection with directing our ally, Russia, in railway operation, that the supplies and ammunitions sent from the United States might be moved from Vladivostok to the front and in that way keep the Russian Army in the engagements on the east with our enemies, the Central Powers.

I was not subject to the draft, being 44 years old, and while I questioned some of the preparatory arrangements I was informed that this expedition

was being arranged by the President, and owing to the desire and necessity of our getting to the Russian front promptly, the usual order of organization had been made special to save much delay.

Mr. Emerson was general manager of the Great Northern Railway and I was superintendent of motive power and therefore had this opportunity to have him explain the plans as given him at Washington and was the first to offer my service and to be accepted, and assisted from the start in getting the corps organized and started for Siberia.

Had I or those who enlisted in this corps questioned the instructions which came from Washington which we were under preparation at St. Paul or San Francisco before sailing, we would have felt such act as bordering at least upon disloyalty to our country.

When I signed acceptance of notice of appointment as lieutenant colonel of the Russian Railway Service Corps I fully expected to be sworn into the United States Army service in regular form, but Mr. Greene who came to St. Paul with these notices informed us that the regular form would be sent us as soon as the congested forms in the War Department at Washington could reach us, that these short forms were used at that time as a necessity and that our departure be not delayed. Mr. Greene reached St. Paul on Saturday and we entrained on Sunday for San Francisco.

If this corps is not or was not intended to be made a part of the United States Army, then those responsible for the organization of the corps, myself included for the part I played in enlisting others, have done a great injustice in misrepresenting facts. It will be a most bitter remembrance if I have to accept as a fact that I was duped into believing myself to be and acting or aping the part of an American Army officer without this being a fact in my endeavor to serve my country in the World War.

As a member of the Russian Railway Service Corps, both in this country and in the Orient, with officers and troops of America and Allies, I lived the part and was recognized with others in accord with the insignia which I wore and to which I thought I was entitled. When in 1918 I was assigned by General Gaidar with six other members of the corps to assist the Czech sappers at the front I continued to play the part and was recognized in accord with the uniform and insignia I wore. After connecting up with the American and allied forces from Vladivostok and in preparing report for Colonel Emerson for General Graves and Admiral Knight there was no question ever brought up as to improper or wrong representation at Army headquarters or on board *Brooklyn*.

If we are to be judged as not a part of the Army, then I must admit that I played all this part and acted the part of an imposter.

In order that the acts of the 210 original members of the Russian Railway Service Corps may be legalized and these men exonerated from representing themselves to be something which they were not, if for nothing else, I hope Congress will act favorably on our request. I think every member of the corps feels as I do and as I have tried to express in this letter. We thought ourselves Army officers, conducted ourselves as such, and to all intents and purposes were as such. If through our ignorance we were wrongly informed and misled because we did not question omission of certain legal provisions, then we pray that Congress may legalize the organization to such extent as may be necessary to save us the shame that must otherwise haunt us the rest of our lives.

Yours very truly,

R. D. HAWKINS.

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PORT DODGE, IOWA, *June 15, 1922.*

We, the undersigned, F. H. Barry and G. W. Nygren, of Fort Dodge, Iowa, make oath and say that on October 5, 1917, a call was made by our Government through a letter from Mr. R. G. Kenly, general manager of the Minneapolis & St. Louis Railroad Co., asking for volunteers for service on the railroads in Russia, the call specifically stating that "the men who are accepted will be enlisted in the United States Army and given commission officers' rank, the enlistment to be for the period of the war"; the letter further stating that the men must pass a physical examination and be in good physical condition so as to take an active part in the operation of the Russian railways in a cold

climate; must be men of experience, good character, and of mature judgment; that this was considered a fine opportunity for some of our best railroad men to serve our own country, and that "whatever may be done to advance the interest of our allies is going to reduce the number of our young men who must go on the firing line and this, therefore, is a 'patriotic call' to our men and we hope they may respond in goodly numbers"; and that a specific call had been made on the Minneapolis & St. Louis Railroad for three train dispatchers and one road foreman of engines.

Inasmuch as our road had been specifically called upon to furnish train dispatchers, and we being in that class of service and anxious to serve our country in its time of need, deemed it our duty to respond to this call, and we did respond and were accepted for this Russian railroad service. We were married men and had small children (I, F. H. Barry, having two children, one of them less than a year old; and I, G. W. Nygren, having four small children) and it was a big sacrifice to leave these children and our wives and go to Siberia, but we did it gladly and willingly for our country's sake and in the good faith that we were enlisting in the Regular Army forces. If we had had any doubt in the world that we were not joining the Regular Army forces of the United States, we most certainly would not have joined this organization.

Before being accepted in St. Paul we had to pass a regular physical examination which we thought was the Regular Army examination and later on were given different inoculations against disease which we also supposed to be the Regular Army inoculations. We, being laymen, were not at that time familiar with Army rules, regulations, or customs, and everything that was done or told to us while the organization was being formed appeared to us to be perfectly regular and legitimate in every way; in fact, we had no reasons to think otherwise, as the letter which called for our services very plainly stated that we would be enlisted in the United States Army, and nothing occurred to cause any suspicion on our part that such was not the case. When the so-called commissions were delivered to us we took them to be the Regular Army commissions, as they were from the War Department and signed by The Adjutant General, and we had never seen any other Regular Army commissions. In fact, at all times and places we believed our outfit to be as much a part of the Regular United States Army forces as any other outfit. When, after we were located in Siberia, we learned that our Army insurance applications (we had been given regular Army insurance blanks and had filled them out) were being held up and a suspicion arose in the minds of some of our members as to our exact status, inquiries were made of our superior officers and we were, even at that late date, told in positive and emphatic terms that we were an actual and active part of the United States Army and that our insurance applications were probably being held up because of the immense amount of work being handled in Washington.

We therefore served our entire term of enlistment with the belief and understanding that we were part of the Regular Army, and it is our earnest prayer that the House of Representatives will act favorably on bill S. 28, and thus right the wrong which has been done us.

In conclusion we wish to state that we were given victory buttons and victory medals for service in Siberia by the United States War Department, our applications for same being accompanied by our so-called commissions, which were passed on and approved by one Lieutenant Thom, of the Regular United States Army, at Des Moines, and if these commissions appeared regular and legitimate to him it can readily be seen that we as laymen were certainly justified in thinking that they were regular and O. K. in every respect. In addition to this, when the war was over and we left the service our resignations were acted upon by The Adjutant General of the Army, the acceptances of resignations coming from the War Department.

F. H. BARRY,

*Second Lieutenant, Russian Railway Service Corps.*

G. W. NYGREN,

*First Lieutenant, Russian Railway Service Corps.*

Subscribed and sworn to before me this 15th day of June, 1922.

[SEAL.]

M. J. HAIRE,

*Notary Public in and for Webster County, Iowa.*

I, the undersigned, D. C. Smart, of Chicago, Ill., and a former member of the Russian Railway Service Corps, make oath and say that I was transferred from the evacuation hospital of the United States Army at Vladivostok, Siberia, to the Letterman General Hospital in San Francisco, Calif., on an Army order dated Vladivostok, Siberia, on or about December 2, 1918; that I left Vladivostok, Siberia, on the United States Army transport *Thomas* on December 3, 1918, arriving in San Francisco, Calif., January 18, 1919, and that the Army surgeon aboard the transport *Thomas* transferred me to the Army hospital in San Francisco on Regular Army transfer orders which he had received from the chief of the evacuation hospital in Vladivostok.

Upon my arrival in the Letterman General Hospital I was given a thorough examination by an Army major in charge of that work in said Army hospital, and that said major did order certain treatment of my lungs, teeth, etc.; that I was held in this Army hospital from January 18, 1919, to March 28, 1919, when I was discharged from the United States Army and was given a Regular Army discharge as a second lieutenant of Engineers, United States Army. I was handed a voucher on the Army paymaster for the \$60 soldier bonus, a voucher for travel pay as a soldier at 5 cents per mile from San Francisco, Calif., to St. Paul, Minn., and a voucher on the Army paymaster for 28 days' pay as a second lieutenant of the Army.

Further, while a patient in the Letterman General Hospital I was given an application to fill out stating whether or not I desired to apply for a permanent commission as lieutenant in the United States Army and continued in the service. This I rejected.

J. L. Duffy, first lieutenant of the Russian Service Corps, who was transferred from Vladivostok on the same Army order as myself and who was discharged about the same time as myself, also received a discharge from the United States Army and received the same pay vouchers as in my case.

D. C. SMART.

Subscribed and sworn to before me this 22d day of April, 1922.

[SEAL.]

CHARLOTTE SCOVEL, *Notary Public*.

THE GEORGE M. KENYON CO.,  
St. Paul, Minn., June 17, 1922.

Mr. R. S. BEST,  
Washington, D. C.

DEAR SIR: I, the undersigned, Robert Dudley Lewis, make oath and swear to the truth of the following statements:

In May, 1917, I made application direct to Mr. S. M. Felton, Director General of Railroads, for a commission in the engineering division of the Officers' Reserve Corps, this application being accompanied by proper credentials and recommendations. In June, 1917, received a telegram from Maj. James Millikan, then assistant to Mr. Felton, requesting me to come to Washington at once for a personal interview with him.

In the first part of July, 1917, I went to Washington, spent two days there and had interviews with Major Millikan, who questioned me carefully about my railroad experience and qualifications which would entitle me to a commission in the railroad regiments. I was finally advised by him that my qualifications were satisfactory and that they were of such a character that undoubtedly a commission would be granted. He further advised that I return to St. Paul and await further instructions.

In October, 1917, I received a telegram from Major Millikan stating that I should prepare to report to him at Washington, stating that I had been granted a commission in the Engineers.

At this time I was informed of the organization of the Russian Railway Service Corps and was told that we would be in active service on the eastern front within two months from the date we were organized. The idea of getting into active service immediately appealed to me strongly, and not only that, but the fact that my railroad experience had been under Col. George H. Emerson, who was at the head of the Russian Railway Service Corps, led me to decide to go with the Russian Railway Service Corps if possible. I immediately wired to Mr. S. M. Felton giving him the facts of the case and my reasons for wishing to transfer to the Russian Corps. Shortly after that re-

ceived a telegram from him stating that it would be satisfactory for me to transfer to the Russian Railway Service Corps. Unfortunately the copies of this correspondence were mislaid when I was in Siberia and I have been unable to find them, but copies must be available in the War Department at Washington.

I firmly believed that in joining the Russian Railway Service Corps I was going into the military service of the United States; and, moreover, I wish to say that had I thought for a minute that it was not so considered I never would have left the city of St. Paul in this outfit.

We were told that we were a special branch of the United States Army intended for special duty on the trans-Siberian railroad, this statement being made to us by Colonel Emerson, of our corps. We were notified by Colonel Emerson one day that on the following morning we were to appear at the Railroad Building and be sworn in and get our commissions in the Army. The next morning when we appeared we were advised that inasmuch as the commissions were not ready, we could not take our oath of office and instead we would receive appointments, for which we would sign. We were told that these appointments were a temporary form of commission and the reason for issuing them was necessitated by haste in getting us across the Pacific into Siberia. We were told by Colonel Emerson and Mr. Greene, from Washington, I believe, that our regular commissions would follow.

I questioned this procedure at the time and was told by several of my friends who had been commissioned in the Army that this was not unusual, inasmuch as the only notification they had had as to their commissions was a published list of men to whom commissions had been granted, and that the commissions would be forthcoming at a future date. I have since learned that some of these men never received their proper commissions until they arrived in France. This explanation on the part of my friends allayed the slight suspicion that arose as to our being given commissions. As further evidence of the fact that we believed we were in the United States Army I am attaching hereto certificate of commissioned officer in support of claim of exemption of a person in the military or naval service of the United States. These forms were furnished us by Colonel Emerson, filled out for us to sign. You will note that these forms claim exemption from military service on the ground that we were already an officer of the United States Army.

I am also inclosing Form 1005 from the local draft board, giving my classification as that of No. 5, which you know was that given to men already in military service; also inclosing my registration certificate, No. 148, which shows that I submitted to registration and made no claim for exemption; also inclosing statement from the local draft board, division No. 10, certifying that I had been registered with the above board and that I had not been called by the board for examination.

I am also inclosing my appointment from the War Department, Adjutant General's office, as second lieutenant in the Russian Railway Service Corps, which appointment, as I stated before, was explained to us as being a temporary form of commission, awaiting issuance of the proper commissions.

I want to say further that I had no knowledge whatever as to our questionable status until a short time before we left Siberia to return to the United States. We felt that something was wrong when war-risk insurance was refused our families, but we were told repeatedly that this would be granted us. Furthermore, we were assured repeatedly by Colonel Emerson and Colonel Lantry that there was no doubt but that we were a part of the United States Army in special service.

I solemnly swear to the truth of the above statements.

Yours very truly,

R. D. LEWIS.

STATE OF MINNESOTA,  
County of Ramsey, ss:

On this 17th day of June, 1922, before me personally appeared R. D. Lewis, to me known to be the person described in and who executed the annexed and foregoing instrument, and he acknowledged that he executed the same as his free act and deed.

[SEAL.]

F. L. BAYARD,  
Notary Public, Ramsey County, Minn.

My commission expires August 15, 1920.

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# RUSSIAN RAILWAY SERVICE CORPS

PROVIDING AN HONORABLE DISCHARGE FOR THE MEMBERS OF,  
FROM THE MILITARY SERVICE OF THE UNITED STATES

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## HEARING

BEFORE THE

## COMMITTEE ON MILITARY AFFAIRS

HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH CONGRESS

FOURTH SESSION

ON

### S. 28

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FRIDAY, FEBRUARY 9, 1923

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### PART 3

#### STATEMENTS OF

Mr. DANIEL WILLARD, President B. & O. R. R. Co.

Mr. GEORGE H. EMERSON

SENATOR POINDEXTER

Mr. C. A. DECKER

Mr. B. H. NIXON

SENATE HEARING

Friday, May 28, 1920



WASHINGTON

GOVERNMENT PRINTING OFFICE

1923

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COMMITTEE ON MILITARY AFFAIRS.

HOUSE OF REPRESENTATIVES.

SIXTY-SEVENTH CONGRESS.

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# RUSSIAN RAILWAY SERVICE CORPS.

COMMITTEE ON MILITARY AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
*Friday, February 9, 1923.*

The committee this day met, Hon. John C. McKenzie (acting chairman) presiding.  
Mr. McKENZIE. We will now take up the act providing for the men and officers in the Russian Railway Service Corps, and we will hear from you, Mr. Emerson.

## STATEMENT OF MR. GEORGE H. EMERSON, BALTIMORE, MD., CHIEF OF MOTIVE POWER AND EQUIPMENT OF THE BALTIMORE & OHIO RAILWAY CO.

Mr. McKENZIE. Where do you live, and what is your business?

Mr. EMERSON. Baltimore, Md., and I am chief of motive power and equipment of the Baltimore & Ohio Railway Co.

Mr. McKENZIE. Where were you employed in 1917?

Mr. EMERSON. I was general manager of the Great Northern Railway.

Mr. McKENZIE. On the 25th of February, 1920, you evidently wrote a letter to Mr. C. A. Decker, representative of the interallied technical board, Washington, D. C., in which you made certain statements in connection with what is known as the Russian Railway, on page 5 of the hearing.

Mr. EMERSON. Yes, sir; I wrote a letter on that date.

Mr. McKENZIE. I might further state before you proceed with your testimony that there have been numerous statements made in relation to this matter by members of this corps, that they were under the impression that they were entering the military service, and that many of them founded that opinion on statements that had been made by you by telegram, letter, or otherwise. The committee are very anxious to hear from you what you have to say in connection with this matter.

Mr. EMERSON. I think possibly, then, it would be advisable to give a short synopsis of the organization of the corps and our services in Siberia.

Mr. McKENZIE. All right, sir, proceed in your own way. Make a short statement and then the members will ask you such questions as they desire.

Mr. EMERSON. As previously stated, I was general manager of the Great Northern Railway.

Mr. KEARNS. Where is that railway, Mr. Emerson?

Mr. EMERSON. The Great Northern Railway runs from St. Paul to the Pacific coast, and it has branches in Canada, consisting of 8,500 miles of railroad.

The first advice I received regarding the organization of a railway unit for Siberia was through a message that L. W. Hill, president of the Great Northern Railway, received, which was to the effect that I had been selected to organize a corps for railway service in Siberia, and asked if I could be relieved for that purpose. The same day I received a message from Mr. Felton, Director General of Railroads, to report to him at Washington.

I left the same evening, and on arrival at Washington I called on Mr. Felton, and was advised that a railroad corps was to be organized for the purpose of reorganizing the Siberia Railroad, as there was a vast amount of military supplies, stores, etc., at Vladivostok, that the transportation of the railroad was entirely broken down, and that it was necessary to reorganize, in order to furnish munitions and supplies for the Russian Army, then holding down the eastern front, opposing the central powers.

I informed Mr. Felton that I would gladly accept the assignment. He was then very busy in connection with organizing similar corps for France, to assist in the operation of the French railroads. Mr. Felton advised me that it would be necessary for me to organize the corps, and that they had many thousands of applications from railroad employees and officials who desired to enter Government service.

He turned over to me some 2,000 applications that they had on file and asked me to go through them and select whom I considered desirable. He said it was necessary



to organize a corps within three weeks and sail for Vladivostok, as they were anxious to get out on the Siberian Railroad before the harbor of Vladivostok froze up.

I spent all night at the Willard Hotel going over the applications. They were from railroad men all over the United States. I saw that it would take months to assemble a corps by using such applications.

Therefore I wired the president of the Great Northern Railroad suggesting that he call a meeting of the presidents of some 12 to 14 northwestern lines and that I would like to have a conference with them on my return. That was arranged for. I requested that each railroad that was represented organize one superintendent's organization, consisting of a superintendent, master mechanic, chief dispatcher, trick dispatcher, shop foreman, and in fact a complete superintendent's organization. They agreed so to do.

On that basis I was able to perfect an organization within the time specified. We were delayed something over a week in procuring uniforms and other equipment. We left St. Paul, I think, on November 11, and we sailed from San Francisco on the 24th or 25th.

Mr. McKENZIE. What year?

Mr. EMERSON. 1917.

Mr. McKENZIE. The 8th of November?

Mr. EMERSON. I do not recall the exact date.

We arrived at Vladivostok a month later. On our arrival we learned that the Kerensky government, with whom the arrangements for the organization of our corps were made, had completely collapsed and that the Soviet or Bolshevik Government was in complete control.

I landed at Vladivostok, and found Mr. John F. Stevens, chairman of the committee that had been sent to Siberia to look into the transportation matters, and through whom it was arranged that the corps should be sent to Siberia. Mr. Stevens informed me that the country was completely disorganized. We were very anxious to get in touch with Washington, and we decided to go to some port in Japan where we could get in touch with the State and War Departments, and advise them as to conditions.

We landed in Nagasaki a few days later. Mr. Stevens went to Yokohama, and for some two weeks later we remained on the transport.

During that period of time I received instructions to secure accommodations for the men and release the transport at the earliest possible moment. We succeeded in securing accommodations, and in the latter part of January I received instructions from John F. Stevens to meet him at Yokohama, as he had decided to try to work his way through to Manchuria to determine what the situation was and if there was any possibility of carrying out the original program.

We crossed the straits to Korea and took the South Manchuria Railroad to Chanchung.

A few days after our arrival the minister of ways and communications of the Kerensky government arrived at Harbin. He informed us that he had made satisfactory arrangements with the Soviet Government, and that the original program would be carried out; that unless stores, munitions, etc., were moved to the eastern front, the army would disintegrate and fade away. They were short of ammunition, clothes, and food. Mr. Stevens agreed to the proposition. He returned to Yokohama and instructed me to make the necessary arrangements with the representatives of the Russians.

Mr. McKENZIE. Mr. Stevens instructed you?

Mr. EMERSON. Yes; I was to report to Mr. Stevens on arrival at Vladivostok.

I negotiated with the representatives of the Russian railways for a period of 10 to 15 days, and then arranged to move about half our corps from Nagasaki to Harbin, Manchuria, and place them on the Chinese Eastern Railroad, so that we could start moving supplies from Vladivostok westward.

While the men were en route the minister of ways and communications advised me that they had changed their minds and decided not to cooperate or work with the Soviet Government. I wired Mr. Stevens as to the situation, and also instructed the officer in charge of the balance of our corps at Nagasaki to defer any further action. We continued our negotiations for a period of almost two months, practically every day. I finally succeeded in having the men who had been transferred from Nagasaki placed on the Chinese Eastern Railroad. At about that time I received instructions from the State Department to endeavor to work my way through Siberia and Russia, to get in touch with Governor Francis, as he had received information that possibly something could be done in European Russia. I reported at Vladivostok, called on Admiral Knight, who was the ranking officer in Vladivostok at that time. He informed me that he had not received any information regarding my movements.

The American consul also advised me that the United States had not in any way recognized the Soviet Government, and any arrangements made would have to be through my own efforts.

I called on the president of the soviets, a Russian peasant. He informed me that he had received instructions from Mr. Trotski to furnish me with equipment, and to guarantee me a safe passage across Siberia and European Russia.

I selected seven of our officers to accompany me. Prior to our departure they asked me to inspect the military supplies at Vladivostok, the arsenal, etc., so that I could report to the Soviet Government as to the supplies and munitions available at Vladivostok for the eastern front. I consulted with Admiral Knight, and he thought by all means to delay long enough to get that information, because it was required for the allied governments.

I was given a permit to visit all warehouses, to inspect all warehouses, arsenals, and the machine shops at the government navy yard. I made a full report to Admiral Knight, and submitted a statement showing the amount of supplies available. By that time I had received the necessary equipment, and we found then that the Chinese Eastern Railroad had been cut by the forces operating under a renegade Cossack chief by the name of Semenoff. They had blown up a bridge over the Onon River, so the Chinese Eastern line was cut. I then decided I had best make an attempt to get over the Amur Railroad, a new road that was under construction, but was not completed, a railroad paralleling the Amur River, north of same.

I left Vladivostok and arrived at Habarovsk. at the crossing of the Amur River, where I met the president of the soviets of Siberia, a man who spoke excellent English, who advised me that six months prior to that date he was a lawyer in Chicago. I had a conference with him.

I might state that Admiral Knight was very anxious that I should take sufficient time to make a condensed profile of the Siberian Railroad, to get a complete record of the arsenals and the munitions stored along the line. I secured permission from the Soviets to get that information, and secured all that data for the United States Army. I also made a complete profile of the entire railroad, showing stations, grades, the physical condition of the line, etc. We were about two weeks getting over the Amur Railroad. It was broken in many places. We had to repair some bridges; the line was not ballasted, but we finally got through to Karinskaza Junction, which is the junction point with the Trans-Siberian Railway. We had no trouble from that point until we arrived at Verkni-endinsk. A very large German prison camp was located there, and at one time it had about 60,000 prisoners. Upon our arrival a German officer called on us and wanted to know who we were, and where we were going. He was then entraining. He informed us that peace had been declared with the Russian Government, and that the Germans, or Central Power war prisoners, were being returned home. They were loading a train at that time. That gentleman spoke perfect English, and advised us that he had been a professor in the Chicago University for a period of 14 years prior to the war. They finally allowed us to proceed.

We arrived at Lake Baikal. There is a series of 41 tunnels around the lake. The officer that accompanied us wanted me to inspect the manner in which the tunnels were mined, as they figured that the Cossacks were coming from the east, and they had decided if necessary to blow up the tunnels in order to block their movement.

I arrived at Irkutsk and met the American and French consul generals. I was advised that trouble had developed between the Czechs, who were moving from the Volga River to Vladivostok, to be transported by our Government to the French front and the Bolsheviks. I was then instructed to proceed west and act as a mediator between the opposing forces, to attempt to settle their differences, so the Czech forces could proceed to Vladivostok.

Mr. McKENZIE. From whom did you receive those instructions?

Mr. EMERSON. From the consul general representing the United States, a Mr. Harris, and the French consul general located at Irkutsk. I proceeded west some 400 miles to the soviet front. In the meantime I had wired, or prior to my departure from Irkutsk, I wired the officers in command of the soviet and Czech forces that I had been requested to mediate and requested them to defer all military action until my arrival. They both agreed to the proposition. I proceeded, and I first met the officer in command of the soviet forces, who was a German officer from one of the prison camps. He advised me as to the terms, and then I proceeded west on a hand car. They would not let me proceed with the train. They gave us a hand car, and I took four officers, one of whom was a United States Army officer, Major Slaughter, and we were stopped at the outposts of the Czech Army. We were finally permitted to go through under escort and met the officer in command of the Czechs, a colonel. He informed us that their army consisted of about 50,000 men and was located at various stations from the Volga River to Vladivostok, that they had received information that

had been sent from Russia to the effect that peace was declared between the Central Powers and Russia, and that one of the terms of the treaty was that Czech soldiers should be disarmed and returned to Austria. The colonel advised me that that meant execution for the officers, "As we all deserted from the Austrian Army to fight for the allied powers. We fought with Russia for two or three years, until the Russian Army laid down." They would not agree to an armistice of any kind, figuring that the Soviet Government would not abide by any decision or agreement that was made.

I returned to the soviet lines, and in fact I walked between the lines for several days. They finally agreed to a conference between the lines. They ran the car that I was occupying between the lines and held a conference practically all night, and finally agreed to an armistice for a period of six days east of Marinsk, the station where the conference was held. The terms of the armistice were that the Czechs were free to act west of Marinsk. Immediately it was signed Colonel Cadletz entrained, but in the meantime there was an arsenal located in the vicinity of Marinsk; his troops, you understand, were not armed; they had but 20 rifles per train; they had been disarmed before they left. The Czechs were armed with hatchets, axes, some hand grenades that they had made, and they attacked the arsenal that night and took it. Then they were fully equipped, had several batteries of field artillery and a large supply of rifles and ammunition. They proceeded westward, and 50 miles from there met an opposing force and captured the entire outfit. They proceeded farther and Omsk was taken. Then they proceeded westward to the summit of the Ural Mountains. I was practically a prisoner with the Czechs. At Omsk I had a conference with the officers of the Czechs command, and finally convinced them as to my mission, and they agreed to allow me to go forward. I tried to make arrangements with the Bolshevik forces near the Ural Mountains to go through their lines, but they refused to allow me to do so, nor would they allow me to communicate with Ambassador Francis. I remained there six or seven days, and finally I received orders from the Czechs to move back to Omsk. The day I arrived at Omsk a French officer walked through the lines and informed us that the allied governments had decided on intervention in Siberia and wished the Czechs to maintain the position they then held, and that an army consisting of Americans, English, and in fact all the allied powers, including the Japanese, would arrive at Vladivostok not later than June. This was all the information we had received; we had not been able to get any information from the outside world from the time we left Vladivostok, and some German war prisoners, who were returning, informed us that Paris had been taken and that the allied powers had lost the war, and in consultation with the Czechs we tried to determine how we could get out without being taken prisoner and moved into Russia.

We decided to go across the desert, but did not have funds or equipment, and the Czechs then decided they would fight their way out. We were 4,000 miles from Vladivostok.

Mr. HILL. May I interrupt you? That means you five officers of your corps?

Mr. EMERSON. Yes; with the Czechs.

Mr. HILL. With the Czechs?

Mr. EMERSON. Yes.

Mr. HILL. There were only five officers of your corps?

Mr. EMERSON. Seven of us.

Mr. HILL. Did you have any enlisted men in your corps?

Mr. EMERSON. No.

Mr. HILL. All officers?

Mr. EMERSON. Yes.

Mr. HILL. The bill then as passed the Senate is incorrect when it refers to enlisted men.

Mr. EMERSON. They were all officers. I received advice later from Consul General Harris that the report of the French officer was correct. We then volunteered our services with the Czech Army. They accepted our services, and we were assigned to the engineering department. They decided to fit up an armored car—the railroad has a double-track line—and work east on both lines. We took some steel gondola cars, covered them over with steel rail, put concrete on the inside, and had loopholes for machine guns and the 3-inch field piece on front. The engineer corps followed the armored cars, and the infantry behind the engineering corps. The bridges were practically all demolished. If it would be interesting I have a few photographs showing some of the bridges that were demolished, which we had to rebuild. We had something like 300 bridges to rebuild, and were constantly under fire during the entire period. We made temporary repairs by cribbing up; in some cases they had shot steel spans 275 feet in length off the abutments. In that case we had to jack them up and crib alongside of the abutment in order to get our equipment over. We worked

through Irkutsk to the trans-Baikal Railroad, and along that railroad there were 41 tunnels, and the Bolsheviks blew up one tunnel. They day-lighted one tunnel.

We were 28 days digging that out. I asked for and secured 450 German war prisoners from the German prison camp, and worked four shifts of 6 hours for all that 28 days. The Bolsheviks had secured both of the ice breakers on Lake Baikal. Formerly they transferred by ferry all the trains across the lake. They were large steel boats. During the process of our work at the tunnel practically every night we were shelled. The Czech forces did not consist at any time of more than 2,000 men. They made a flank movement, and got around the Bolsheviks, cut the tracks, and derailed nine of their trains, and during the period we were working on the tunnel they secured that equipment. This equipment was on the other side of the tunnel. The general who was in charge of the rear guard built a raft, and raised a small motor boat that was sunk, placed a 5-inch fieldpiece on the raft, crossed Lake Baikal, 22 miles in a fog, and fortunately located the two ice breakers and sunk and burned them both, and after that act was performed we proceeded with less trouble in clearing the tunnel. We finally did it, and got our equipment through, and a few days later at a station called Missavoya the Czechs cut the line and derailed rear trains occupied by the Bolsheviks, 62 in number, and the Czechs at that time went against the force of German prisoners consisting of over 10,000 and captured them. From that time we had a running fight to Manchuria, where we connected with the Japanese forces. I think it was in November, late in the fall of the year.

Mr. HILL. 1918?

Mr. EMERSON. Yes. The Czech general went through to Vladivostok. At that time there were 73,000 Japanese soldiers in Manchuria, 8,000 Americans, 8,000 Canadians, a few English, Italians, and French, but the general with the Czech troops worked 4,000 miles before the allied troops were ready to leave Vladivostok and peace and order prevailed in Siberia at that time. Had we been able then to carry out our program there is no question but what we could have moved the munitions and supplies to the eastern front.

After that movement there was a considerable period of inactivity. Finally, though, the interallied railway committee was organized to take over the operation of the railroads. I was appointed chief inspector, or chief operating officer of the railroads.

Mr. PARKER. That was after the armistice?

Mr. EMERSON. Yes, sir. Our Government was very anxious for us to remain. Our diplomatic representatives had a great deal of trouble in entering into an arrangement, and when it was practically arranged for, our Government thought we should remain regardless of the circumstances, and carry out the original program.

Our men naturally after the war was over wanted to return. I put the matter up to them very clearly, told them just what the situation was, and they all signed an agreement to go to work as soon as the interallied agreement was executed. We had at that time in the neighborhood of 160 railroad officers in the corps. The Baldwin unit had been returned home. There were some 77 men in the Baldwin unit. We divided the railroads off into divisions, similar to our organization in the States, and I placed our men along 4,000 miles of the Siberian Railroad. The allied forces were supposed to protect the American railroad engineers.

President Wilson, when asked why the American troops were retained in Siberia, made the statement that they were there for the purpose of protecting the American railroad engineers. As a matter of fact, at no time did the American troops protect to exceed 170 miles of railroad, and at that time I had men located over 4,000 miles of the railroad, in many points in groups of two or three men, without any protection at all. There was constant warfare going on in the country. Fighting was continually going on with the Bolsheviks. The Russians organized an army, but due to transportation facilities breaking down, they were unable to equip the Army or provide supplies for them. The Army disintegrated and went to pieces. I am referring to the Kolchak government that was organized.

In the summer of 1919 I was at Omsk practically the entire year. We had an epidemic of typhus and the Russian soldiers died at the rate of 500 a day. There was no medicine available, nothing whatever. I made a full report regarding the situation and the American Red Cross sent something like 150 American girls to Siberia. Those girls went to the prison camps. Typhus is a dysentery disease. Those American girls went into the box cars where the soldiers were confined, 45 men in a box car, the cars being 22 feet long, double decked, as we load sheep in this country. The first car I opened there were seven dead bodies that I personally pulled out. There were as many who starved as those who died. There was no medical attention or any supplies. The American Government immediately started vast supplies of medicines, and sent the Red Cross units. We remained there until the Bolshevik army continued to advance. I made a full report regarding the situation to our Government. I was on the

ground and stated I did not think the Russians had an organization, because they were not in a position to supply an army. They sent Ambassador Morris and General Graves, who was in charge of the American forces at Vladivostok, to make an investigation. They came west and made a thorough investigation.

We were then advised by the Russians that their front was 300 miles west of Omsk. General Graves asked for an escort to inspect their army. They refused to give him an escort. He asked me if I would accompany him and Major Slaughter, and with two private soldiers we left for the Ishim River. We had a couple of machine guns and two rifles. We were four days getting through. We arrived at the front and called on the chief of staff. He advised he was not in the position to give us an escort to go to the front. General Graves said, "Let us see if we can find the army." We started out in an automobile. We drove 300 miles across an open prairie country, following the river. We did not find any indication of an army. It was simply a disorganized mob. We went back and reported the condition. The Bolshevik at that time was not an organized unit. It was a mob sweeping forward. We stayed at Omsk until the Bolshevik army was within a few miles of that point. The ranking officer of the allied army then ordered allied forces to evacuate Omsk. We evacuated, the Czechs following. They finally got through to Irkutsk. The country was 100 per cent Soviet, and Admiral Kolchak was captured and executed. Eight to ten of our officers were captured by the Bolshevik army. I must say for our officers, that during the entire period in Siberia we obeyed instructions to in no way interfere with the internal affairs of Russia. We attended to our own business. Our men were A No. 1 in every respect, behaved themselves and attended to their business. On that account our officers were not executed when captured, as others were. I resigned in December.

Mr. QUIN. In 1919?

Mr. EMERSON. December, 1919. I was 28 months in Siberia.

Mr. MCKENZIE. It is a very interesting statement that you have been making, and of course it only discloses the fact that you rendered a very excellent service, you and the other members of the corps, but you understand this bill pending before this committee is for the purpose of giving to you, the members of your corps, a military status.

Mr. EMERSON. Yes; and an honorable discharge, as I understand.

Mr. MCKENZIE. And you would have to have military status. The point that has been troubling most of us is whether or not there is a sufficient connection between the services of this corps and the military forces of the United States to justify the enactment of this law. Now, in your statement, if I get it clearly in my head, you were called here by Mr. Felton?

Mr. EMERSON. Yes, sir.

Mr. MCKENZIE. And you consulted Mr. Felton, went back to St. Paul, and organized this corps. You went to Russia, but in no place in your statement is it clear to me that you were ever at any time under the jurisdiction of the War Department, or required to report to the War Department in any way. Now, what the members of this committee would like to have you do, if you can, is to disclose the fact in such way, if possible, that will warrant some basis for the legislation.

Mr. EMERSON. Of course, I was like all the civilians that thought they entered the war game. At the time I entered the service I was 48 years old. As previously stated, I was advised I had been selected to go to Russia.

Mr. QUIN. You were commissioned as an officer?

Mr. EMERSON. Absolutely; to the best of my judgment I was an officer, and I did not know I was not an officer or was a civilian until I had been in Siberia for several months.

Mr. GREENE. When you were commissioned, you were given a commission, I suppose in a formal document?

Mr. EMERSON. I was given a document submitted here. I knew nothing about military organization. I was asked to organize a corps to assist in the operation of a railroad in Siberia, as other corps were organized for France.

Mr. GREENE. That is what I want, because perhaps I can make my question clear. At the time you enlisted in this service, whatever it was, the United States Government was also raising a distinct and avowed military force round about you?

Mr. EMERSON. Yes, sir.

Mr. GREENE. There was not any question about that. Nobody was being taken in the corner and told about a special mission, because the draft law was operating, and took everybody that did not volunteer, and those people knew by the nature of the arrangement exactly what the service was. It was the Army. Was there anything made in an overture to you, by proper representation of the War Department, to indicate to you that you and your corps also were going into the Army?

Mr. EMERSON. I never discussed that phase at all.  
Mr. GREENE. I do not want to interrupt you. When they had a discussion with you, did they propose to you that they were taking you into the Army?

Mr. EMERSON. That was my understanding.

Mr. GREENE. I ask you, in the language did they tell you so?

Mr. EMERSON. Not to my knowledge, no; but that was my understanding.

Mr. GREENE. When the Government goes out, generally they lay before one the purpose.

Mr. EMERSON. Please understand that I went into no details whatever. I was in Mr. Felton's office, I believe, less than one hour.

Mr. GREENE. Were you at any time in consultation with or under the direction of the War Department?

Mr. EMERSON. No, sir: Mr. Felton, was the director general of foreign railroads, I believe.

Mr. KEARNS. What rank did you have?

Mr. EMERSON. Colonel.

Mr. KEARNS. Who gave you that.

Mr. EMERSON. The Adjutant General of the United States Army.

Mr. FROTHINGHAM. What were you paid?

Mr. EMERSON. I knew nothing about the salaries. I was paid \$20,000 a year. I knew nothing about that until the corps was organized—until three or four days after we left Siberia, and the Russian Government paid salaries similar to what the officers were receiving in this country.

Mr. PARKER. When you left for Siberia?

Mr. EMERSON. Yes; When organized and ready to leave for Siberia. I never raised the question of salary. I expected I would receive a salary such as was paid officers of the United States Army. I did not know what it was.

Mr. FROTHINGHAM. You knew the salary of a colonel was not \$20,000?

Mr. KEARNS. How long was it before you knew what the salary was?

Mr. EMERSON. I should say four or five days before we left St. Paul.

Mr. KEARNS. Prior.

Mr. EMERSON. Yes, sir; we were organized and ready to leave. At that time I was advised that we would not be allowed the insurance, because we were a special corps.

Mr. MCKENZIE. I think it is fair at this point, when we are questioning the colonel about the salary, he was at that time superintendent of the Great Northern Railroad, and I think, as a matter of information, and for the benefit of the record, it might be well for you to state to the members of the committee what salary you were receiving.

Mr. EMERSON. I received the same salary from the Great Northern—\$20,000—as general manager of the Great Northern.

Mr. KEARNS. You say The Adjutant General of the United States Army commissioned you as colonel?

Mr. EMERSON. Yes.

Mr. KEARNS. Did you have a personal conference with him?

Mr. EMERSON. No.

Mr. KEARNS. How did he commission you?

Mr. EMERSON. I received a commission, "That you are appointed colonel of the Russian Service Corps."

Mr. KEARNS. Did he write you a letter stating that?

Mr. EMERSON. Why, yes: he sent me a commission signed by The Adjutant General.

Mr. KEARNS. In the same letter inclosing it, did he send you a letter?

Mr. EMERSON. No.

Mr. KEARNS. There was nothing in there except the commission?

Mr. EMERSON. No; the commissions were delivered to us by a representative of Mr. Felton's office. The commissions, I believe, were delivered in San Francisco. Am I right, Mr. Decker?

Mr. DECKER. Yes; in San Francisco.

Mr. JAMES. Who told you you would get \$20,000?

Mr. EMERSON. Mr. Felton sent a list of the salaries.

Mr. JAMES. He had no connection with the War Department?

Mr. EMERSON. He was Director General of Railways. I presume he had connection with the War Department. I do not know.

Mr. JAMES. He was not a member of the War Department?

Mr. EMERSON. I do not know. I could not answer that question. I presume he was.

Mr. FIELDS. Was he not director of the military affairs of railroads?

Mr. McKENZIE. The Council of National Defense became very active when we got into the war, and especially under that provision of the law providing that they could have an advisory council of a certain number of men.

Mr. EMERSON. Yes, sir.

Mr. McKENZIE. And if you remember they appointed the advisory committees on almost every subject under the sun, and among them was railroads, and Mr. Felton was made Director General of Railroads. He had under his jurisdiction the buying and shipping to France and Russia and other foreign countries locomotives, which he purchased from the Baldwin Co., and it was testified before this committee at that time, when we asked him if he had a commission and he said he did not; he did not want any. He preferred to wear his civilian clothes, that he was acting in the capacity of a civilian, but was director of railways, and in that was connected with the War Department.

Mr. EMERSON. Mr. Chairman, as I understand it, he organized all the railroad units that were sent to France and also to Russia.

Mr. GREENE. That may be, so far as his personal activities are concerned, but those units went into the Engineer Corps of the Army. There was no disguising about the status. It was done in the usual duty of the Army, and under the colors.

I want to ask you further just to keep the continuity. When you got a commission, I observe that it reads with your rank in the Russian Railway Service Corps.

Mr. EMERSON. Yes, sir.

Mr. GREENE. Was there anything accompanying the commission, or was there any act on the part of any official representative of the War Department of this Government, that upon the receipt of that commission mustered you into the United States military service? Did you go through a ceremony or muster in taking the oath, subscribing to the oath, under the colors?

Mr. EMERSON. No, sir; we did not.

Mr. GREENE. All right.

Mr. EMERSON. That was delivered to us, as I think, the day before, not more than two days before we sailed from San Francisco, by a representative of Mr. Felton.

Mr. GREENE. Did you have to execute any oath in connection with that?

Mr. EMERSON. No, sir; we did not.

Mr. HULL. This commission is signed by The Adjutant General. I am wondering how that happened. It is on War Department stationery. There is no doubt about that. Was Yohda ever Adjutant General? Do you know whether he was or not?

Mr. EMERSON. No; I do not.

Mr. HULL. Has that been investigated?

Mr. EMERSON. We were given to understand—

Mr. HULL. I understand that, but I can not understand that name.

Mr. EMERSON. I understood we would receive the usual commission.

Mr. GREENE. Commissions are never signed by The Adjutant General, but are signed by the Secretary of War.

Mr. FIELDS. As to that, of course, civilians do not understand whom they are signed by.

You said earlier in your statement, Mr. Emerson, that Mr. Felton, I believe, told you that it would take so much time to get uniformed.

Mr. EMERSON. Yes, sir.

Mr. FIELDS. He gave you to understand you were to be a uniformed force, did he?

Mr. EMERSON. Oh, yes, sir.

Mr. FIELDS. That is one very important point in this matter, and I would like for you to give us information as to what was said about uniforms to you by Mr. Felton and about your preparations, and why you should have uniforms. As I understand it, you were given to understand you were to be in uniform.

Mr. EMERSON. Yes, sir; it was considered that it was very essential to have uniforms.

Mr. PARKER. Was it to be a special uniform that had to be made up, and did that delay getting them?

Mr. EMERSON. Yes, sir.

Mr. PARKER. It was a special uniform?

Mr. EMERSON. Yes, sir; it was a special uniform. We had the English roll collar at the start. We had the insignia—the castle of the United States Engineering Corps, and we had the United States Engineering Corps buttons. The only difference was our insignia of rank which was stripes on the arm. On my arrival at San Francisco, I called attention to the fact that we were not recognized; that is, that the officers did not recognize the insignia.

Mr. McKENZIE. Mr. Emerson, I understand Mr. Willard is here and very anxious to get away, and if you will just permit Mr. Willard to make his statement now, we will try to accommodate you as much as possible later.

Mr. EMERSON. All right, sir.

**STATEMENT OF MR. DANIEL WILLARD, PRESIDENT OF THE BALTIMORE & OHIO RAILROAD, BALTIMORE, MD.**

Mr. McKENZIE. Mr. Willard, in the hearings we had on this bill on January 17, 1922, there appeared in the statement made by Mr. Spear, of St. Paul, a letter which purports to have been written by yourself in connection with this matter, and if you have not a copy of that letter in front of you, I will pass this one down to you and would like to have you explain some statements in connection with this matter, and also what you know about these men having had military service.

Mr. MILLER. Mr. Chairman, I suggest the witness state his name and position.

Mr. McKENZIE. Have you given your position, Mr. Willard?

Mr. WILLARD. No. I am now president of the Baltimore & Ohio Railroad. Undoubtedly that letter was written by me because after a hasty reading it is such a letter as I would have written if I had been asked, and I assume I did write it. I am not sure that I know just what you wish me to say, Mr. Chairman. You want me to state my relation to this particular incident?

Mr. McKENZIE. We would like to have you do that, Mr. Willard, and if you can throw any light on the one vexed question involved in this matter, and that is whether or not these men were in a civilian status or in a military status, and if in a military status, to what extent. You can just proceed and make your own statement in your own way.

Mr. FIELDS. May I suggest, Mr. Chairman, that if the witness has any information as to why this corps had any grounds for believing it was in the military service, he should state that, because I take it that is what the committee really wants to get at.

Mr. WILLARD. Perhaps, Mr. Chairman, I had better give as briefly as I can a picture of what took place, because it is some years since it happened. I have not access to the files and I have had to refresh my memory in such way as I could since I was told I was wanted to come here.

In 1916 I was appointed by the President a member of the advisory commission of the Council of National Defense. On the 1st of March, 1917, I was chosen as chairman of that commission and remained as such until the close of the war.

During the month of March, Mr. Stanley Washburn, who had been a representative of the Chicago News, in the Russian-Japanese War as correspondent, and later on had been with the Russian Army all during the World War, came to this country, and in the spring of 1917 he came to see me as chairman of the advisory commission and told me of conditions in Russia, and the impending breakdown, as he saw it, of the Trans-Siberian Railway. He pointed out that unless the Trans-Siberian Railway was kept open from Vladivostok through to European Russia it would mean that with the Black Sea closed, as it then was, and with the Arctic Ocean closed by ice part of the year, which would shut off Archangel, which was the only other water port of Russia, that Russia would be entirely cut off from the world and their military efforts would break down; and he pointed out that if their military efforts did break down it would release those German soldiers which were facing the Russian Army in Europe, and they could immediately strengthen the western front. In view of the fact that at that time it seemed rather certain that we would get into the war, it was, of course, obvious that anything we could do to keep Russia in the war was a desirable thing to do from our own selfish point of view.

On the 31st of March, 1917, Mr. Washburn appeared before a joint meeting of the advisory commission and the Council of National Defense at my request; at least, I arranged for it, and he explained to the joint meeting the conditions as they existed in Russia at that time, from which country he had just recently returned, and urged that we take steps to strengthen the efficiency and increase the equipment of the Trans-Siberian Railway for the reasons that I have mentioned.

Sir George Drury, of Canada, came to the United States at about the same time. He had been sent to Russia by England. He pointed out that until the Murman Railroad could be completed to the Arctic Ocean, which would be open all the year round, that conditions in Russia were in a very serious situation because during the winter, with Archangel closed, she would be shut off, and that it was of the utmost importance that the Trans-Siberian Railway should be kept open.

With all this in mind, the Council of National Defense recommended to the President that a small committee of railroad experts be sent to Russia at once to offer their good services. The President, or the Secretary of State with the Russian ambassador found such a movement on our part would be agreeable, and I was asked to nominate a committee, and I did. Mr. John F. Stevens, who was connected with the Panama Canal, was designated as chairman and four other gentlemen were named to go with him; it was arranged they should go immediately to Russia, and the importance of it is indicated, perhaps, by the fact that the Canadian Pacific Railway, which operated



the steamship *Empress of Asia* held that steamship at Vancouver four days so this committee could get there and reach Vladivostok in the shortest possible time, because they appreciated the importance of the mission. Mr. Stevens went to Russia and later on was followed by the Root Commission.

From time to time I heard from Mr. Stevens, because, at that time, at the request of the Secretary of State, he reported to me direct. In the middle of the summer, perhaps July or August, I am not certain as to the date, I had continued to receive letters from Mr. Stevens, and he wrote at about the time I mention urging that a commission of railway men be sent over there to take charge, in a supervisory way, of the operations of the Trans-Siberian. At the same time I received cables from our Ambassador Francis, who was in Petrograd, urging that a committee of railroad men be sent there to see if they could keep the Trans-Siberian Railway from getting into any worse condition.

In the meantime the advisory commission of the Council of National Defense had had under consideration the raising of units to go to France. Sir George Drury, among others, had advocated the importance of sending a mission of railroad men to France. General Joffre, who visited this country very shortly after we entered the war, impressed upon the advisory commission of the Council of National Defense the importance of doing what we could to help them maintain their railroads, not only in the way of sending materials but in sending men. In recognition of that situation, as disclosed to the Council of National Defense, of which the Secretary of War was chairman, it was arranged to raise, I think, at first, nine regiments of railroad men to go to France at once, and it is my belief that the railroad men who went to France preceded any regularly established military unit. I think it is a fact that before the railroad men got over there as a part of the engineering section of the Army, General Pershing had arrived, and he did take with him a regiment or a very small unit of soldiers. The point I wish to make is that early in that summer, largely through the efforts of the Council of National Defense and the advisory commission, a movement was set under way, of which Mr. Felton was the head, reporting to the Chief of Engineers of the Army, General Black at that time; a movement was set under way to collect these railroad officers of the kinds needed in France, and we had been told the kind we should send, and the purpose was to collect these men together and organize them as military units. They were so organized. They were so commissioned. They were put in the uniform of the United States and they did go over there and serve through the war. Later in the season—

Mr. McKENZIE (interposing). They were armed also?

Mr. WILLARD. They were armed, I suppose. I do not know of my personal knowledge.

Later in the season when Ambassador Francis cabled and urged that we send some railroad men to help out in Russia, I took the matter up with the Russian ambassador, Mr. Bakhmeteff, who was here at that time, and it was a matter of some discussion; and after we had discussed it and finally reached a conclusion, it was decided that the men who went over there would have to go as a part of the Army in order to be at all efficient. So then we took the matter up with Mr. Felton and asked him if he could not, out of the men he was selecting to go to France, take some of those same men, or get other men, and send a similar unit to Russia, and that is what he undertook to do, and that is what he did do.

Now, just what his instructions may have been from the Chief of Engineers to whom he reported directly, General Black, or from the Secretary of War, I have no means of knowing. My connection with the affair consisted in getting the matter started, in recognizing the importance of Ambassador Francis's request, and taking the matter up with the particular officer, Mr. Felton, who at that time was assembling railroad men to go to France, and up to that time had sent some 10 or 12 regiments, as I recall.

Now, I do not know, and I have no means of knowing, what promises or understandings there may have been between Mr. Felton and Mr. Emerson. I do know that Mr. Emerson and his associates certainly had every reason to feel that in going to Russia to serve as they did, they would have exactly the same status as the same kind of men would have, and did have, who went to France.

Mr. McKENZIE. May I ask you a question right at that point, Mr. Willard? In connection with your conversation with the Russian ambassador, did the question of the payment of these men come up, as to how they should be paid, and whether they should be in the employ of the Russian Government, or of our Government?

Mr. WILLARD. It was understood they should be paid by the Russian Government. There was some delay in settling this matter because after the request came to me from Mr. Francis, reinforced by cables from Mr. Stevens, I took the matter up with the Russian ambassador and he had not heard about it. Conditions in Russia at that time were somewhat disturbed. So we did not make any definite movement toward raising

the corps that Colonel Emerson was the head of until the Russian ambassador, Mr. Bakhmeteff, could find out from his people at home and from Professor Lomonosoff, who was a representative of the Russian Government in this country, that the arrangement was agreeable to the Russian Government and desired by them.

Mr. PARKER. The men who went to France consisted of privates and were in fully organized regiments.

Mr. WILLARD. I do not know how they went. They went as regiments, of course.

Mr. PARKER. And these men did not go as regiments and they were all officers.

Mr. WILLARD. They were all officers, I think.

Mr. GREENE. Of course, it is somewhat unusual to think that any part of the American Army would be paid by a foreign government, and would not that have put the men on notice that they were not a part of the Army of the United States?

Mr. WILLARD. I do not know that the men themselves knew who they were going to be paid by at all. Of course, in fairness, it ought to be kept in mind that at that time we were not living in usual times and things were being handled very hastily, and I only know that these men who did go to Russia would very likely have gone to France, and expected to go there, and I think they were justified in thinking so. Now, I do not know that the Government made any promise or that any officer of the Government made any promise who was authorized to do so. I do think, however, that Colonel Emerson and his associates had good reason to believe that they were going abroad on the same status as the men who went to France; that they did have a real relationship with the Army and, as such, would be entitled to an honorable discharge when they came home. I understand that is all they ask for. I do not know about that.

I think that is all I can add, Mr. Chairman.

Mr. JAMES. Did you have anything at all to do with the raising of the men who were going to take charge of the French railways?

Mr. WILLARD. No; that matter was developed through the advisory commission and the Council of National Defense and then Mr. Felton was nominated to represent the War Department in raising those units, and he came to Washington and was appointed director general, I think, of foreign railways, or something of that kind, reporting to General Black, the Chief of Engineers of the Army. After that, I had nothing to do with it.

Mr. QUIN. And he held that position under the War Department while he was getting these men together and getting them over there?

Mr. WILLARD. Yes, sir; all the time.

Mr. QUIN. That is what the record shows.

Mr. JAMES. You never had any conversation with Ambassador Jusserand about the French Government paying the men who went over there?

Mr. WILLARD. Oh, no.

Mr. FIELDS. As I understand it, Mr. Willard, you did help to develop this arrangement to collect these railway men for France?

Mr. WILLARD. Yes.

Mr. FIELDS. And they were raised by Mr. Felton?

Mr. WILLARD. Yes.

Mr. FIELDS. And realizing that practically the same necessity existed in Russia, you developed the project of raising a corps of railway men for Russia?

Mr. WILLARD. Yes.

Mr. FIELDS. And they were raised by the same man that had raised the forces for France?

Mr. WILLARD. Yes.

Mr. FIELDS. These forces that were raised for France were given a military status either then or later on, according to your understanding?

Mr. WILLARD. Yes.

Mr. FIELDS. And as I understood from Colonel Emerson awhile ago, there was some conversation between him and Mr. Felton that the Russian corps would be placed in uniform. I just want to emphasize that fact on account of its bearing upon the contention or the belief of these men that they had some sort of a military status.

Mr. WILLARD. Yes.

Mr. FIELDS. They were raised by the same man that raised the forces for France?

Mr. WILLARD. Yes.

Mr. FIELDS. And it was possibly, in a measure, a realization of the same conditions in Russia that existed in France which caused you to recommend that a corps be raised for France and a similar corps for similar service be raised for Russia.

Mr. WILLARD. Not quite similar service, but essentially so, and may I be permitted to make this explanation in view of the question the Congressman asked a

moment ago. We did not send any privates to Russia because we were told they had all the unskilled workmen they needed over there and they did not need any help of that kind, but what they did need were skilled men to go there to show them how things ought to be done, whereas in France they needed the unskilled men as much as the skilled men because their men were in the army.

Mr. FIELDS. That explains, then, why the Russian corps was composed entirely of officers?

Mr. WILLARD. Yes, sir.

Mr. McKENZIE. Mr. Willard, is it not a fact—and I think it is complimentary to the railroad men of this country—that all railroad men, perhaps even some trackmen, are what we would call skilled men?

Mr. WILLARD. Yes.

Mr. McKENZIE. And is not that one of the reasons why there is much justification for the pay scale of railroad men in this country?

Mr. WILLARD. I think it is, Mr. Chairman. In speaking of the men as unskilled, that was not a happy selection of that word, because I included in that engineers, conductors, and men who are highly skilled, but not men who held official positions. That is what I meant to distinguish. Engineers and conductors, who are a highly skilled craft, enlisted as privates and went to France in that capacity, and they were highly skilled men. In Russia, however, they did not want men of that kind. They said they had enginemen and all that sort of thing, but needed some officers to tell them what to do.

Mr. MILLER. Mr. Willard, do you know whether the same scale of pay was made to the men in these units that went to France that were subsequently made to the Russian railway men?

Mr. WILLARD. No; I do not think they were. It is my understanding they were paid salaries more nearly related to the Army salaries.

Mr. MILLER. How can you account for the colonel of the Russian railway service receiving \$20,000 a year, as Mr. Emerson stated he received, when you say it was organized on a similar basis to the French corps, which was paid according to the regular scale of pay of the United States Army?

Mr. WILLARD. I can not answer that. Mr. Felton made that arrangement. I do not know how it happened. I had nothing to do with it at all. I suppose that what he sought to do was to pay these men abroad the salaries that they had been getting in this country, and Colonel Emerson had been general manager of the Great Northern Railroad and receiving that salary.

Mr. MILLER. That was not at all the basis of the railroad corps that were sent to France.

Mr. WILLARD. Not so far as salary is concerned. The salary was different. If I might venture a suggestion, because my sympathies, I will say, are fully with Colonel Emerson and his men—if they were asking for special consideration in the way of money or anything of that kind, I think it might well be urged that they had been paid this higher salary while they were abroad, and the Government was under no further obligation in that respect, but when they simply ask that the record be such as to show that they were honorably discharged after performing service in uniform, I think they have good reasons for asking that, because it is not a matter of money at all. It is simply fixing their records.

Mr. GREENE. Mr. Willard, if you will permit me, that is exactly the premise upon which further advances of money may be made.

Mr. WILLARD. I do not know about that.

Mr. GREENE. That gives them a certain status with reference to war risk insurance and other matters.

Mr. WILLARD. I have nothing to say about that.

Mr. QUIN. Mr. Willard, these men were actually in the uniform of the United States and were in the service of the United States Army under the direction of Colonel Felton.

Mr. WILLARD. They were in a uniform prescribed for them by a representative of the War Department. I do not know what the uniform was. I never saw it.

Mr. FROTHINGHAM. Of course, if this bill went through in the language it is now, it would give them the benefit of the war risk and other compensation acts as well as other service benefits, on the same terms and conditions as honorably discharged enlisted men and officers of the Army.

Mr. WILLARD. Well, I have not anything to say about that.

Mr. FROTHINGHAM. Of course, every one wants to do all they can, but in this case to my mind it is simply a question of passing legislation which says something that was not so, and that is what I am trying to satisfy my mind about, because, of course, you realize, as we all do, that the Red Cross was in uniform and the Young Men's Christian

Association was in uniform, and the Salvation Army and the Knights of Columbus, and they all did wonderful work. I saw them over there and they all had uniforms, but it was not the United States Army uniform. Now, it is a question of being fair to these men and being fair to the other side also.

Mr. WILLARD. I would be the last one to disparage the work of the Y. M. C. A. or the Red Cross, but I do not think the comparison with those units, however worthy they may have been, is fair to Colonel Emerson and his associates, because they certainly were expected to go out there, and it was known they were going into a disturbed country, that they were taking great risks, and they were going there to do, as nearly as they could understand, and as nearly as I could understand, exactly the same things that other railroad officers were going to do in France. I have nothing to say about the insurance and things of that sort. I do not know anything about it, but so far as the status of having performed honorably a service, and a worthy service, I think that the record ought to show that.

Mr. GARRETT. Mr. Willard, may I interject right there that Colonel Emerson in his testimony just before you came into the room testified that when he was passing through some of his very arduous labors, that he had accompanying him about 150 Red Cross nurses.

Mr. WILLARD. Yes.

Mr. GARRETT. They were right there in the midst of that dire distress through which he was going.

Mr. WILLARD. Yes.

Mr. GARRETT. Mr. Willard, I would like to ask you this question because you seem to be very fair and have a good hold on the situation. If these men for the services that they have rendered have been paid more than those who were drafted into the service, or who volunteered and were under military control, do you think this bill should provide that they should have all of the rights and benefits that these other men have, or do you think the bill should simply give them an honorable discharge from the Army and stop there.

Mr. WILLARD. That is a matter I do not care to debate very much, but I do not hesitate to say this: I think so far as what they should be given in the way of further privileges including money is concerned, is a debatable matter, and I should take into consideration the salaries that they received as compared with the salaries that other men received who benefit from these privileges. I think that is certainly a debatable question.

Mr. GARRETT. You understand that we are put in this attitude, Mr. Willard: Here is a colonel in the Russian railway corps getting a good deal more pay than General Pershing got when he was over there.

Mr. WILLARD. I understand that.

Mr. GARRETT. And I think it subjects the committee to at least criticism from the other men in the service if we undertake to make any such distinction as that.

Mr. WILLARD. I think that may very well be, but I would separate that from the fact of having the record show that the men were honorably discharged.

Mr. CRAGO. The trouble about that is that when the records show that, all the rest follows as a matter of course, and we have no control over it.

Mr. WILLARD. Then that is unfortunate.

Mr. QUIN. Mr. Willard, I remember meeting over in France a general in the Army who was vice president of the Pennsylvania Railroad. I do not remember the name.

Mr. CRAGO. General Atterbury.

Mr. QUIN. Yes; General Atterbury. Was not this colonel here just as much an officer of the United States Army as General Atterbury was?

Mr. CRAGO. No; General Atterbury was sworn into the Regular Army Service and received the regular pay of a brigadier general in the United States Army.

Mr. QUIN. I mean in reality.

Mr. CRAGO. I am talking about reality, too.

Mr. QUIN. This man had the service uniform on and was working there for the United States Government and was ready to die for the Government.

Mr. MCKENZIE. There is a young man here who would like to make a brief statement right on this point.

Mr. R. S. BEST. I am connected with Mr. Spear in the Russian Railway Service Corps Association, and I would like to say this in explaining that feature of the bill: This bill was introduced in the Senate by Senator Poindexter at the request of his constituents from the State of Washington. The bill was drawn without any consultation or advice, and we do not expect to put any strings on you. We do not expect to and it is not our intention to do that, and we are willing that this bill may be amended if you gentlemen care to do so. All we want is an honorable discharge to clear our records. We do not care for any compensation or any bonus that might

arise in the future. We do not want to tie any strings to it whatever. All we want is a clear record.

Mr. JAMES. Mr. Best, I saw your commission a few minutes ago and it was signed as a commission in the Russian Railway Service. That commission did not say anything about the War Department. Do you want a discharge from the Russian Railway Service or a discharge from the Army?

Mr. BEST. Mr. James, we figured we were a part of the United States Army, and this commission was signed by The Adjutant General of the Army, and we thought we were in the Army, and we want a regular, bona fide discharge.

Mr. JAMES. It does not read in that way. It reads Russian Railway Service.

Mr. BEST. We did not know that at the time.

Mr. HULL. Mr. James, since I saw that commission I am rather amazed at the form it takes. It is signed by the adjutant general. Now, of course, I suppose that means adjutant general of the Russian Railway Corps, but it is written on War Department paper, and anyone who is not technically acquainted with the War Department would say at once that this was The Adjutant General, and that he had issued the commission.

I would like to ask Mr. Willard one question. As I understand it, Mr. Willard, you think—and you had some experience during the war—that these men should be given an honorable discharge?

Mr. WILLARD. Yes.

Mr. HULL. You do not care to go any further than that and say anything about compensation. You simply say they should be recognized as belonging to the United States Army and given an honorable discharge.

Mr. WILLARD. Yes, sir.

Mr. HULL. And you are fairly familiar with the service that these men rendered during the war.

Mr. WILLARD. Yes, sir.

Mr. McKENZIE. It has been brought to my attention, Mr. Willard, that when these men entered this particular service they were assured by their employers, the various railroad corporations in the country, that their seniority rights as employees of the various corporations would be protected, and it has also been called to my attention that in some cases the railroads have not kept faith with these men in that respect. Do you know anything about that?

Mr. WILLARD. I think that general promise was made by all of the railroads to all of the men who went to France or to Russia, so far as I know. There may be instances where the faith was not kept. If so, certainly it would be inexcusable unless there was some proper reason for not keeping it. I would have to know the facts. I hope there has been no such case as that on the Baltimore & Ohio Railroad. If there has been, I would like to hear about it.

Mr. PARKER. Mr. Willard, there is a matter here in Mr. Emerson's letter at the bottom of page 5 and the top of page 6 in which he says that just as he had about completed the organization of the corps at St. Paul he received advice from Mr. Felton that the Attorney General had ruled that the corps would not be entitled to war risk insurance on account of being organized as a special unit, and he continues: "Some few days prior to the departure of the corps from St. Paul I met Messrs. Felton and Willard at Chicago and in discussing the question they advised me they were of the opinion that the corps was entitled to same, from the fact that we were organized purely as a war measure and would make every effort to have same allowed. However, on my return to St. Paul I immediately posted a bulletin to the effect that the department ruled we were not entitled to war risk insurance; so all concerned understood the matter clearly."

Do you remember that conversation?

Mr. WILLARD. I remember meeting Colonel Emerson in Chicago. I do not remember the conversation that he refers to. It may have been as he stated, and no doubt it was, but I do not remember it.

Mr. PARKER. You do not remember assuring him that they ought to have war risk insurance?

Mr. WILLARD. No. I think it is not improbable that I made that assurance, because I did not know at that time that they were to receive any different salaries than they received when they went to France. That was a subsequent arrangement. I did not hear Colonel Emerson's testimony.

Mr. PARKER. But did you hear from him that they had been told that the Attorney General had ruled that as they were a special unit they would not get the insurance?

Mr. WILLARD. No.

Mr. PARKER. You do not remember that?

Mr. WILLARD. No; I do not remember that.

Mr. JAMES. Mr. Willard, did you know that Mr. Felton had written a letter under date of February 18, 1918, to Mr. Basil Miles, Department of State, and said that he suggested "in cabling Stevens that you also say that Emerson and his men are organized as the Russian Railway Service Corps; are not regular officers of the Army"?

Mr. WILLARD. No.

Mr. McKENZIE. If there are no further questions, we are much obliged to you, Mr. Willard.

Mr. WILLARD. May I say just one word further, Mr. Chairman. If these men were not over there from the standpoint of the war necessities, then I am sure I have not any idea why they did go. It would be an unheard of thing to send a commission of three or four hundred railroad officers into another nation in times of peace to tell them or to suggest to them how they should run their business, and I know that it was in the minds of all of us who had anything to do with it that if we could keep the Trans-Siberian Railway open it might keep Russia in the war, and might keep 2,000,000 German soldiers off from the western front. We thought it was a war measure.

Mr. FIELDS. In other words, you regarded it as a military necessity?

Mr. WILLARD. Yes.

Mr. GARRETT. Mr. Willard, I would like to ask you this question: At a former hearing some of the witnesses testified that these men were called for by the Russian Government. Do you know anything about that?

Mr. WILLARD. They were called for first by our ambassador, Mr. Francis, and by Mr. Stevens, and as I think I have already said after I received the cable from Ambassador Francis and from Mr. Stevens I took the matter up with Mr. Bakhmeteff, who was the Russian ambassador in this city, and he did not know about it, and therefore we had to wait until he could become properly advised before we sent them over.

Mr. GARRETT. The record heretofore shows that the Russian Government, through some source, perhaps through the ambassador, as you suggest, made a request for these men.

Mr. WILLARD. They did.

Mr. GARRETT. And that after that request was made, the men were organized and financial arrangements were made by the Russian Government with the United States whereby these men were to be paid by the Russian Government while they were in this service; is that your understanding?

Mr. WILLARD. I think that is true, although I did not participate in that negotiation.

Mr. GARRETT. Now, we are in this attitude, Mr. Willard, as you will see at once. Here are a corps of men called for by a friendly government to aid them as one of our allies in certain work for which service they agree to pay. They were put in uniform but they were never connected directly with the War Department.

Mr. WILLARD. I think, if I may say so, that I failed to make clear one point. While I think it is a fact that the Russian Government did ask to have these men sent over, they only made that request after Mr. Stevens had asked for the men, after Ambassador Francis had asked for the men, and after I, myself, had gone to Mr. Bakhmeteff and asked him if he would support their request on behalf of the Russian Government, and later on, he did. The request did not originate with the Russian Government in this country.

Mr. GARRETT. But the facts are, as the whole thing went through, that these men were called for by the Russian Government through diplomatic channels and arrangements were made by which they were to be paid by the Russian Government, and they were paid by the Russian Government out of funds in this country borrowed by the Russian Government and placed to their credit here.

Mr. WILLARD. Yes; I think that is true.

Mr. GARRETT. Now, all the other men in the railroad service were paid by the Government by vouchers regularly drawn in the regular way. That is a distinction that is made between these two classes of service, and I am very frank to say that while I am very much in sympathy with the work these men did, and would like to give them the relief they ask for, if I could find any way to do it, yet it does look to me like they stand upon such a different footing from the other men that I am trying to find some way out of the proposition, if possible, to be fair, but to my mind, as it stands now, they are a distinct class by themselves, and they were really serving the Russian Government at the request of the Russian Government, and while they may not have fully understood the situation, and for the reason that these men are honorable men they have testified that they did not understand it, yet I am at a loss to know how it could have come about that these officers should have gone through with all this work and then come out in this bewilderment or maze of misunderstanding in this way. If they thought they were in the Army of the United States and went there in good faith, as it seems they did, it looks like we are up against a very hard proposition.

Mr. GREENE. If you will direct your mind to the hearings we had some months ago, you will recall that I directed questions somewhat along that line to one of the gentlemen presenting himself here, who told us incidentally that in 1898 he had been mustered in with the volunteers, and I asked him if he saw any similarity in the ceremonies, and he said he did not.

Mr. GARRETT. Yes; and I want to ask this gentleman over here who testified they were willing for this bill to pass just simply providing for an honorable discharge. Did I understand you to say that what you were after was some congressional recognition of the fact that you were in the Army of the United States and to receive an honorable discharge, and that on account of the circumstances surrounding this case and the pay that you received, which was larger than the other men received in the service, do you not ask for any rights as to war risk insurance or any other privileges under that act; is that your position?

Mr. BEST. Mr. Garrett, we are willing, whatever the decision of the committee may be, to abide by that. The main thing we want is an honorable discharge, because we feel we are entitled to that. We thought we were in the Army continually. Our families thought we were, and now we come home to find we are not eligible to belong to the American Legion, and things like that. We want our record cleared up. We are not after any dollars and cents. That is not the point we want to make at all, and I think it also should be clear to the committee that these things that have developed in the correspondence, and all things like that which have been brought out, the men were not familiar with, because they asked no questions at the time. It was two years after they joined this service that these facts were brought to light, and they are not responsible for them.

Mr. PARKER. The fact they could not get war risk insurance was brought out before they left St. Paul.

Mr. GARRETT. You understand the position I occupy as set forth by my questions. To give Colonel Emerson the same military status that we would give all of the other colonels in the Army makes a distinct discrimination in his favor, in that while he was in the service he received \$20,000 a year, whereas while they were in the service they received the regular Army pay of a colonel. Now, that is the proposition.

Mr. BEST. However, Mr. Garrett, the rank and file of these 200 men were not colonels. For instance, I was a second lieutenant at \$166 a month, and comparing the rank and file with the Regular United States Army in foreign service, with the allotments for quarters and upkeep, there was no distinction or a very small distinction, if any.

Mr. GARRETT. You mean among the other men generally.

Mr. BEST. Yes. As to the higher officers, I do not know what they received.

Mr. MCKENZIE. If there are no further questions of Mr. Willard, we will excuse you, and we are much obliged to you.

Mr. WILLARD. May I say just a word, which is prompted by what was said by one of the Congressmen, that these men were invited to go abroad by the Russian Government. Even if they were so invited, they did not know it, because they dealt only with Mr. Felton, who was the appointed representative of the War Department, who reported to the Chief of Engineers of the United States Army, General Black, and who was raising men for the War Department to go to France, in the same office where he invited them, so I think we must fairly think that they had a right to believe that they were going on the same basis.

Mr. FIELDS. They did not know then that they were to be paid by the Russian Government.

Mr. WILLARD. I do not think they knew anything about that; in fact, I was never sure of it before.

Mr. WURZBACH. The money was deposited to their credit here in this country.

Mr. WILLARD. I do not know. I have no idea about that.

Mr. FIELDS. If Mr. Willard does not know, evidently they would have no way of knowing.

Mr. WILLARD. I have no idea. I know it was discussed, but I never knew who paid it.

Mr. MCKENZIE. We are much obliged to you, Mr. Willard. Are there any further questions of Mr. Emerson?

Mr. FIELDS. I would like to ask Mr. Emerson a question. Did you discuss the question of pay with Mr. Felton?

Mr. EMERSON. No, sir; I did not.

Mr. FIELDS. You did not discuss with him the question of what you would receive or what any of the men under you would receive?

Mr. EMERSON. No, sir.

Mr. FIELDS. He told you that a particular service had to be performed, and you set yourself to the task of organizing the forces with which to perform it?

Mr. EMERSON. Yes, sir.

Mr. FIELDS. How long after this conversation with Mr. Felton was it until you were advised what the respective grades of pay of the corps would be?

Mr. EMERSON. I do not remember definitely, but I do recall that the corps was completely organized at the time I received the information. I know that I told the various men who volunteered for service that I could not advise them regarding rates. I knew nothing about it at that time.

Mr. FIELDS. You did not know what you yourself were to receive.

Mr. EMERSON. I did not know what I was to receive, myself.

Mr. FIELDS. Did you know that your compensations were to be paid by the Russian Government.

Mr. EMERSON. No, sir; not at that time.

Mr. FIELDS. You had no knowledge and no advice at the time you were raising this corps or until after it was raised and in the service about that matter.

Mr. EMERSON. It was some time after the corps was organized. I can not recall the exact date that I received advice that we would be paid from funds deposited in the United States.

Mr. FIELDS. Where were you when you received that information?

Mr. EMERSON. I was in St. Paul. It was during the process of organization.

Mr. QUIN. Colonel, I notice in your letter to Mr. C. A. Decker, dated February 25, 1920, you use this language, in which I agree with you—after discussing what they did, among other things, you said:

"I consider that we are entitled to commission and discharge as members, on the usual or standard forms, of a special United States corps, and should also be granted war risk insurance. All of our combination accident and sick policies held in the various old-line companies were canceled the date we sailed from San Francisco, which left a great many of the corps without any insurance whatever."

Was that true?

Mr. EMERSON. Absolutely. I was carrying, I think, a combination policy of accident and sick insurance of \$25,000, and in the event of death due to accident it was \$50,000. I received advice from the insurance company that my policy would be canceled the date I sailed from San Francisco. The policies of every man in the corps were canceled. I would say that there were 95 per cent of the men who went through that proposition without one cent of insurance. We lost three men over there. In some cases war-risk insurance was granted. Afterwards it was canceled. I simply cite that to show there was some disorganization through every department during the war period.

Mr. QUIN. All these men thought they were in the Regular Army service.

Mr. HULL. You say there was some war-risk insurance granted them before they went away.

Mr. EMERSON. After we went away. They all made application for war-risk insurance.

Mr. HULL. And there were policies issued?

Mr. EMERSON. And there were policies issued. Afterwards they were canceled—after a period of several months. One of our officers, Major Blunt, told me shortly before I left Siberia, in the latter part of 1919, he still had his insurance. I do not know as to that.

Mr. HULL. What is your opinion in regard to having an honorable discharge but limiting it so that it would not entitle them to pensions or compensation. Is it your opinion that would be satisfactory to the corps.

Mr. EMERSON. What would be satisfactory to the corps I am not in a position to say. I will say, personally, that from my own standpoint, all I would ask for would be an honorable discharge; something except a slip of paper. Certainly, I was sincere when I left my home and family and my position. When I came back after 28 months of service I had to look for another position.

Mr. GARRETT. Then your position was not kept open for you?

Mr. EMERSON. No, sir; I was granted a leave of absence during the period of the war. I was retained a year after the armistice was signed. My railroad company had to build up and perfect their organization, and they did what I would do or anyone else. I got home after their organization was perfected. I was out, and I looked for another job.

Mr. HULL. What position do you hold now?

Mr. EMERSON. I am chief of motive power and equipment of the Baltimore & Ohio Railroad. I was selected for service in Siberia, as I was informed by Mr. Vauclain and Mr. Felton, on account of the fact that I was one of the few officers in the United States that had had experience in the mechanical as well as the operating departments. Mr. Atterbury was asked to go to France for the same reason. He



had been a chief mechanical officer as well as an operating officer, and had had experience in both lines of the service, and I was selected for the same reason.

Mr. GARRETT. I want to ask you whether your railroad company gave you any assurance they would keep that position open for you until you came back.

Mr. EMERSON. I was granted a leave of absence during the war period and I remained away a year afterwards at the request of our Government.

Mr. GARRETT. I understand that, but it has been put in evidence here that the railroad companies assured all these men that they would hold their positions open for them and that their positions would be ready for them when they came back. Did your railroad do that?

Mr. EMERSON. Yes, sir.

Mr. GARRETT. Then why did they not give you that job when you came back?

Mr. EMERSON. The job had been filled. It was indefinite as to when I would return. They asked me if there was any prospect of my returning. I could have resigned, but I was requested to remain there.

Mr. GARRETT. But you could have resigned.

Mr. EMERSON. I could have resigned. I presume I would have been relieved. The proposition was just this: The Inter-Allied agreement was not perfected until after the armistice was signed. The allied governments were very anxious to reorganize the Siberian Railroad. The life of that entire country depended upon transportation. Transportation was entirely at a standstill. President Wilson, through Mr. Lansing, sent us messages several times, and I believe some of them are on record. I have copies of the original messages complimenting us and pleading with us to arrange to remain and carry out the original proposition. I knew I was passing up my position, a position I had held for years. All my railroad experience was on the Great Northern Railroad. I had been in the service something over 30 years when I resigned.

Mr. WURZBACH. Colonel, is there anything in the record anywhere showing the pay the other officers in this corps received.

Mr. EMERSON. Yes; I think it is all in the record at some place. I never saw the records until a few days ago. It is in the record, is it not, Mr. Best?

Mr. BEST. You mean the Russian Railway Service Corps?

Mr. EMERSON. Yes; it is in one of these hearings, is it not?

Mr. BEST. No; the scale of pay is not in there.

Mr. FIELDS. When you came back and found your position was filled and had to look for another position, did you accept another one at a reduced salary?

Mr. EMERSON. No, sir; I received a position at a greater salary than I received prior to the time I left.

Mr. MILLER. Mr. Emerson, where in the life of this Russian Corps were you advised that your salary would be \$20,000 a year?

Mr. EMERSON. Where?

Mr. MILLER. At what time and where were you?

Mr. EMERSON. I was at St. Paul.

Mr. MILLER. Who advised you of that?

Mr. EMERSON. Mr. Felton.

Mr. MILLER. Do you know who arranged the salary list of the Russian Railway Service Corps.

Mr. EMERSON. Mr. Felton, I understand.

Mr. MILLER. And was that arranged here in Washington?

Mr. EMERSON. Here in Washington. I think there is a letter on file, is there not, Mr. Decker, in the records of the Russian Railway Service Corps?

Mr. DECKER. Yes; giving the salaries.

Mr. EMERSON. Giving the salaries and the date it was issued. That is all a matter of record. I can not recall the exact date, but I do remember it was some considerable period after we were organized or about ready to be sent over.

Mr. MILLER. You stated you could have resigned and returned home, I believe. Did any of your corps resign and return home?

Mr. EMERSON. A great many of them resigned, or offered their resignations, which I would not accept, prior to the armistice. I refused to accept resignations. We maintained the strictest kind of discipline as we do on the railroads.

Mr. MILLER. Did anybody resign and return home?

Mr. EMERSON. Some few men, yes, sir; but not until relief was provided.

Mr. MILLER. Can you furnish this committee with a list of the men who did resign and return home?

Mr. EMERSON. Mr. Decker can; yes, sir. I have not the records. I turned all the records over to them.

Mr. GARRETT. Do you mean prior to the armistice or subsequent.

Mr. MILLER. Any time during the life of the Russian Railway Service Corps and the carrying out of their activities over there.

Mr. EMERSON. I put the proposition fairly up to the men after the armistice was signed, as there were some rumors to the effect that some of the men, figuring that the war was over, would decide to leave, and I got an expression from every man in the corps. I do not know whether I can locate that just now or not, but I think I have it here. I hurriedly got together what data I could find in connection with this matter. Anyway, it was simply a statement which they all signed as to whether or not they would remain or wished release; but in any event they would remain until relief was secured from the States.

Mr. BEST. Mr. Chairman, may I make a brief statement? I think the point the committee is trying to bring out is if the men resigned, why they were not permitted to go home. Mr. Emerson will bear me out in this statement, that if he or any of the men resigned and the corps deteriorated to such number that the United States Government could not carry out its part of the agreement, the Government would be put in a bad light before the other Allies. In other words, they had made an agreement with the other Allies that they would furnish some 200 men to do this thing. If the men resigned and went home, it would be the same as deserting from the Army, so to speak, or from any other organization, and the Government could not carry out their agreement.

Mr. MILLER. The line I was undertaking to pursue was that men could resign and return home, which was at variance with the discipline in the Regular Army. How many of the men, approximately, if you can recall, Colonel, did resign and return home?

Mr. EMERSON. After the armistice I do not think there were over 30 men, were there, Mr. Decker?

Mr. DECKER. Between 20 and 30, and there were no men that resigned before the armistice.

Mr. EMERSON. No; no men resigned before the armistice; in fact, I would not receive resignations prior to the armistice. I considered that we entered for service during the war, and I so advised the officers, and I accepted no resignations.

Mr. MILLER. And after you had information that the armistice was signed, then you did not receive the resignations of some 20 or 30?

Mr. EMERSON. After the armistice was signed and we received advice that we were simply a lot of civilians that were working for Russia and not for the United States, then you can imagine what the morale of the corps was. If any man on earth ever had hell and repeat, if you will excuse the expression, I was that fellow. We tried to keep the corps together. We had a duty to perform, and I want to say this for the corps: There never was a cleaner outfit of men in the world. They went into that country and they have a reputation to-day even among the Bolsheviks. They can go back among the Bolsheviks. They made a reputation for the United States. I have statements here from Mr. Lansing and statements from Mr. Morris to that effect.

All we ask in the world is just simply an honorable discharge; something to show that we at least tried to do our bit. That is all we want. We do not want a dollar. I told Mr. Stevens who was at the head of the corps, when the salary question was brought up, "if that is the stumbling block, I will take the salary of a lieutenant or any other officer, but I am going to stay in Russia; cut my salary just as you please, but when this thing is over I want to be in a position to say to my children that I did my bit."

Mr. MILLER. Now, let me ask you a further question. Where were you and your corps when you were supplied with the uniforms you speak of.

Mr. EMERSON. In St. Paul.

Mr. MILLER. And who supplied you with those uniforms, or how did you come to receive the uniforms.

Mr. EMERSON. Mr. Felton made arrangements through several clothing concerns, or rather tailoring concerns. I believe there were three different concerns that came to St. Paul and took the measurements; in fact, I took care of a great deal of it myself. I only had then about 10 days to get the uniforms after the cloth showed up, and to be ready to sail. In addition to that, I had a great deal of electrical equipment that we were waiting for. We held the transport at San Francisco 24 hours for that equipment. We took sufficient material to Russia to completely equip the Siberian railroad with telephones for the purpose of dispatching trains.

Mr. MILLER. Do you know who paid for those uniforms? Did you pay for them out of money furnished you by some one?

Mr. EMERSON. I sent all bills to Mr. Felton.

Mr. MILLER. You were authorized by Mr. Felton to make these arrangements?

Mr. EMERSON. I was. I called for funds. When we arrived at Nagasaki we were without funds. I was informed before we left not to take any great amount of money because Mr. Stevens's commission would have the necessary funds.

Mr. MILLER. This corps was organized mainly of men taken from the northwestern railroads.

Mr. EMERSON. Yes, sir; I followed that procedure on account of the fact that knowing Siberia was a very cold country with very severe climatic conditions, I considered it advisable to organize the men from the Northwest country who would be railroad men used to severe winter conditions.

Mr. MILLER. And men accustomed to dealing with railroads likewise located in a country with severe climatic conditions.

Mr. EMERSON. Yes, sir.

Mr. MILLER. Now, this was a very highly skilled class of men, was it not?

Mr. EMERSON. Yes, sir.

Mr. MILLER. Composed of men taken out of administrative positions and out of actual managerial positions.

Mr. EMERSON. Every superintendent had acted as a superintendent and every one, with one exception, was a man who had had experience in that line and the same applies to those on their staffs. In fact, the various railroads picked out the best men they had in their organizations.

Mr. MILLER. And that probably accounts for the very high reputation which you established.

Mr. EMERSON. When you stop to consider it, gentlemen, you must remember that we organized and were enroute in three weeks.

Mr. MILLER. Who organized this Philadelphia branch?

Mr. EMERSON. Mr. Vaulain, of the Baldwin Locomotive Works. Understand, this Government had provided funds for 45,000 cars and some 575 locomotives for the Siberian road to move ammunition and equipment to the western front.

Mr. MILLER. These gentlemen from the Baldwin Locomotive Works, these 72, joined you at St. Paul?

Mr. EMERSON. No, sir; they joined us at San Francisco. A transport had been provided for rushing these men through by the advisory commission in the States, Mr. Willard's committee.

Mr. MILLER. These men were foremen, superintendents, etc., and men employed in various capacities at the Baldwin Locomotive Works?

Mr. EMERSON. Yes, sir. They all reported to me. I was at the head of the organization. I was selected from the fact that I had had mechanical experience as well as operative experience, and they wanted one head.

Mr. MILLER. You were sent across the Pacific on a military transport?

Mr. EMERSON. Yes, sir; on the *Thomas*.

Mr. MILLER. With whom did you make your arrangements there? To what authority did you report?

Mr. EMERSON. I received instructions from Mr. Felton that a United States transport would be ready at San Francisco on our arrival.

Mr. MILLER. And you presented yourself and arrangements were made and you sailed?

Mr. EMERSON. Yes, sir.

Mr. WURZBACH. I would like to ask a question. I notice on page 17 of the hearings, Mr. Decker testifying, states the pay of the lieutenants was \$2,000, first lieutenants \$2,500, captains \$3,000, and majors \$5,000. That is about the pay officers of the Regular Army receive for performing service, is it not?

Mr. EMERSON. No; I understand it is a little less in some cases when you take into consideration the allowances for quarters, etc.

Mr. WURZBACH. Did they make any extra allowance to these officers in the Russian Corps?

Mr. EMERSON. Well, they received their lodging, that was provided for; they assigned Russian barracks and we fitted up the barracks and organized our own messes and our own hospitals.

Mr. WURZBACH. Did these men know the Russian Government was paying them, or was the money deposited here in this country to their credit?

Mr. EMERSON. The money was deposited in the banks we had specified in the United States. None of them received any salary in Russia.

Mr. WURZBACH. What was the difference between the uniforms used by the members of this corps and the uniforms of the Regular Army?

Mr. EMERSON. Nothing whatever except the roll jacket, similar to the sack coat. In fact, it was the English pattern. When it was necessary to reuniform the officers, why we adopted the standard type with high collar, and that was worn throughout the campaign.

Mr. WURZBACH. Were you not also furnished with revolvers?

Mr. EMERSON. Yes, sir.

Mr. WURZBACH. The same as were used by the army?

Mr. EMERSON. Yes, sir; we were furnished with revolvers. I raised that question when we first went there, and they said that would be not necessary as they said the Russians had sufficient soldiers and they would provide all the guards necessary. As a matter of fact, when we got over there, there was not enough guards available. Everybody was carrying a gun; everybody needed a gun. It was not safe to go out on the street at any time of day or night without a gun. We were provided with the Regular Army pistol, and during the period the United States and Japanese were fighting the Bolsheviks about 110 miles west of Vladivostok our officers were on the ground handling transportation for both armies, and, at that time, in addition to the revolvers, they sent our officers rifles, and our officers packed rifles and guns and had them right at their hands continually.

Mr. WURZBACH. Did you represent yourselves in Russia and did the Russian officers and the allied officers with whom you had dealings look upon you as officers of the United States Army?

Mr. EMERSON. Absolutely, in every respect. We offered our services with the Czech Army—I volunteered. I did not know what to do; there were not any of us who ever expected to get out. How 2,000 men could expect to go 4,000 miles in that country where there were 250,000 German war prisoners, and I knew personally they were armed—we never expected to do it.

Mr. WURZBACH. Do you think this corps would have had any standing with the Russians and the Czechs and the allied officers unless they had believed and unless you had represented yourselves as belonging to the United States Army?

Mr. EMERSON. No; we would not. I know personally, during the negotiations with the Czechs, that the Norwegian commission was executed. And I am as sure as I am sitting here that had we not been in uniform at Novo Nikolaevsk, which was respected by the White Guards and Bolsheviks, that every one of us would have been executed. I saw men and have pictures of them executed within 30 feet of my car. I have seen 250 men and children put in line and executed, and that is the kind of country we were in.

Mr. WURZBACH. Could the average Russian have distinguished between the uniforms you were wearing and the regular uniforms of the Army and officers of the United States Army?

Mr. EMERSON. Not until the American Army, General Graves's forces, arrived at Vladivostok. Then they noticed the difference in our uniform, and then it was decided to uniform our corps the same, with the high collar, as the United States Army uniform?

Mr. WURZBACH. That was done?

Mr. EMERSON. That was done.

Mr. WURZBACH. After that what difference was there?

Mr. EMERSON. Absolutely none; none whatever. We wore the same uniform and carried the same revolvers and, when necessary, packed the same rifles.

Mr. WURZBACH. And you wore the same insignias?

Mr. EMERSON. We wore the same insignias throughout. I have a copy of a message I received from Mr. Felton respecting that proposition in which he authorized me to wear the proper insignias. I believe that is a matter of record in this investigation.

Mr. WURZBACH. Did the officers of the different ranks recognize seniority among themselves, one with another?

Mr. EMERSON. Yes, sir; absolutely. We maintained the same discipline that was in the Army, and that is a matter of record, and as to which General Graves, Colonel Morrow, or other officers can testify.

Mr. WURZBACH. Then in general, you believe all the members of the corps in truth and in fact believed they were members of the Regular Army of the United States, in this service?

Mr. EMERSON. I believed, as I have stated in my letter—they told me we were a special corps. I did not ask any questions as to what a special corps was. For instance, they were organizing railroad men as special corps for the French Army; that is, they were not putting them in camps and giving them regular military training, but training them as a special kind of soldier. They were trained men for railroad service and sent there for that purpose. They had to supervise the construction of tracks and work of that kind. They were trained in their particular kind of work; they were not drilled and trained in military tactics, but they were trained in transportation and they were put to work the same as we were in Siberia.

Mr. FIELDS. Did you do any drilling before you went across? Did you do any drilling before you left the United States?

Mr. EMERSON. Yes, sir; so that we could make a respectable appearance we drilled every day.

Mr. FIELDS. Where did you drill them?

Mr. EMERSON. I drilled them at St. Paul.

Mr. FIELDS. Did you have any military assistants?

Mr. EMERSON. Yes, sir; I had Major Spear, who was a member of the corps, and who was in the Army years before that.

Mr. FIELDS. Did you have any Army officer or National Guard officer supervising the drilling at that time?

Mr. EMERSON. No. We had about a dozen men who had served in the Spanish-American War. Spear was a major, and was in the Philippine Islands. I believe he was decorated for bravery. We had several other officers and I assigned such officers to the drilling. I drilled myself. I wanted to make a reasonably respectable appearance.

Mr. MILLER. Who furnished these arms of which you speak?

Mr. EMERSON. The United States Government.

Mr. MILLER. What officer furnished them?

Mr. EMERSON. I had orders to call on the commissary department at Pekin; I think, the Twenty-fifth Infantry, wasn't it?

Mr. QUIN. Pekin is in China.

Mr. EMERSON. I called on the commissary department and they shipped me 250 Army revolvers and the necessary ammunition.

Mr. QUIN. Do you recall the officer with whom you dealt?

Mr. EMERSON. No, sir; I do not.

Mr. QUIN. Anyway you asked for these arms and they were received?

Mr. EMERSON. Yes, sir; that is all a matter of record.

Mr. McKENZIE. I want to ask you this question: From the time you organized your corps until you left the service, did you ever report any of your activities to the Secretary of War, the Judge Advocate General's office, or the Chief of Staff, either in the United States or in Russia?

Mr. EMERSON. When I came through with the Czechs, after I joined the Czech Army, and we got through to Vladivostok, I made a complete report of the entire situation, a joint report with the military attaché who was with us, Major Slaughter.

Mr. McKENZIE. To whom did you address that report?

Mr. EMERSON. The report was addressed—

Mr. QUIN (interrupting). Major Slaughter was a member of the Regular United States Army?

Mr. EMERSON. Yes, sir.

Mr. JAMES. Was he under your command?

Mr. EMERSON. He was assigned with me. He was en route to Omsk and, I believe, had been assigned as military attaché.

Mr. JAMES. Had he any orders from you?

Mr. EMERSON. Yes; I was the ranking officer.

Mr. McKENZIE. Let the colonel finish the answer to my question: To whom did you make your report? That is all I am after. I want to get you connected with the War Department if I can; that is what I am trying to do. To whom was your report addressed?

Mr. EMERSON. My report was addressed—well, this is the way it is headed:

"Report of American railway engineers who were in Siberia with the Czecho-Slovaks from May 5 to September 9, 1918."

This report I submitted to Mr. John F. Stevens, to whom I reported; but I also, at the request of Admiral Knight, who was the ranking naval officer at Vladivostok, and General Graves, submitted a report to them. This report was signed jointly by Major Slaughter and myself.

Mr. McKENZIE. He was the man who was with you?

Mr. EMERSON. He was the man who was with me.

Mr. McKENZIE. And your report was addressed primarily to Mr. Stevens?

Mr. EMERSON. No; I was requested—I submitted a copy to Mr. Stevens. I was requested, on my return, by General Graves and Admiral Knight to make the report, and I addressed the report to them.

Mr. McKENZIE. To Admiral Knight and General Graves?

Mr. EMERSON. Yes, sir.

Mr. PARKER. In your letter at the bottom of page 5, Colonel Emerson, you say that before you left St. Paul you received advice from Mr. Felton to the effect that the Attorney General had ruled that the corps would not be entitled to the same—that is, the war-risk insurance—on account of its being organized as a special unit. Is that true?

Mr. EMERSON. Yes, sir.

Mr. PARKER. Now, did you not understand that the whole Army was entitled to war-risk insurance, and therefore that this was a ruling which meant that you did not belong to the Army?

Mr. EMERSON. No, sir; I did not consider I did not belong to the Army; no, sir. But a few days later I had an engagement with Mr. Felton and Mr. Willard at Chicago and I brought up the proposition at that time, and they told me it was simply a technicality and undoubtedly it could be satisfactorily arranged.

Mr. PARKER. That is a conversation, but was not there a notice from Mr. Felton that you were a special unit and not a part of the Army, and could not, therefore, have war-risk insurance?

Mr. EMERSON. That we were a special unit, and not a part of the Army? That was not brought up. That would have disrupted the corps.

Mr. PARKER. I wanted to know what the order was; I do not want to know what was done. What was the notice you received? Have you that letter here?

Mr. EMERSON. No, sir; I have not.

Mr. PARKER. You say when you returned from Mr. Felton, you immediately posted a bulletin that the department ruled that you were not entitled to war-risk insurance; so all concerned understood the matter thoroughly.

Mr. EMERSON. Yes, sir.

Mr. PARKER. That is to say, all the officers understood you were not entitled to war-risk insurance like the rest of the Army?

Mr. EMERSON. That it had been so ruled; yes.

Mr. PARKER. Have you a copy of that bulletin here to show how much you told them in that bulletin—whether you told them how much of a special unit it was?

Mr. EMERSON. I have not a copy. Whether there is one in the files, or not, I do not know.

Mr. FIELDS. Were you familiar with the war risk insurance laws?

Mr. EMERSON. Only in a general way, as every layman was.

Mr. JAMES. The war risk insurance act was passed about May, 1917, about six months before you started to recruit your men. It took care of every man in the military service who was in the Army, the Navy and the Marine Corps, did it not? In fact, was there anybody who did not know the Army, Navy, and Marine Corps came under that act?

Mr. EMERSON. I do not know.

Mr. JAMES. When you had the hearing about a year ago, Mr. Barron was one of the witnesses, and he said, "I would like to ask Mr. Decker to make a statement. Mr. Decker was assistant to Mr. John F. Stevens who was in that country, and who followed this very closely." And Mr. Decker, in his statement says:

"The Russian Government agreed at that time to pay the expenses of this unit and the War Department took it up, as I understand it, that they could not, under the law, induct into military service, men who would be paid by a foreign government."

Then in response to a question of Mr. Garrett:

"\* \* \* As a matter of fact they were just American citizens over there aiding the Russian Government at the request of the Russian Government, and they could have come home at any time they wanted to, but then they did not think they were—there was nobody there where they are making these reports except the men under whom they were working and they were all really civilians in uniforms?"

"Mr. Decker. That is the status of it."

And Mr. Decker states he is the assistant to Mr. John F. Stevens.

Mr. EMERSON. That was not the status of the proposition, and I do not believe it was so understood. I know it was not so understood. As I have stated, I considered that the corps had enlisted for the period of the war. I do not believe that I received half a dozen applications or resignations at that time, and I do know that I refused to consider any. I considered that we had enlisted for the war period. In fact, there was no specified time.

Mr. JAMES. Do you consider the men of the Baldwin Locomotive Works were on the same basis as yourself?

Mr. EMERSON. I do. It was absolutely impossible for them to carry out the work.

Mr. JAMES. Do you consider they were part of the American Army also?

Mr. EMERSON. I do. They did not render any service in Siberia and they were returned. I believe they were over there for from three to four months, but they did not render any service, and while I was in Siberia it was decided to return them to the United States, and, due to the fact this Government had discontinued sending locomotives, there was no necessity for their services there.

Mr. JAMES. Was your commission along the same line as that of Mr. Best, of the Russian Railway Service?

Mr. EMERSON. Absolutely; we were all the same.

Mr. JAMES. What have you got since you left the service?

Mr. EMERSON. Nothing whatever.

Mr. JAMES. You did not get a discharge from the Russian service?

Mr. EMERSON. I simply got a notice, I believe, that my resignation had been accepted as an officer of the Russian Railway Service Corps.

Mr. JAMES. You said you were recognized over there by the Czechs and the Allies as officers of the American Army?

Mr. EMERSON. Yes, sir. And I received a distinguished service medal from the Czech Government for services in Siberia.

Mr. JAMES. I understood you to say, this morning, that for several days you were virtually a prisoner of the Czechs; is that true?

Mr. EMERSON. Yes.

Mr. JAMES. Why would our allies make a prisoner of an American officer?

Mr. EMERSON. They did not know who we were. They were trying to get out of Siberia.

Mr. JAMES. They did not know who you were?

Mr. EMERSON. No.

Mr. JAMES. Who paid Mr. Stevens?

Mr. EMERSON. The United States Government, I understood; I do not know positively.

Mr. JAMES. Is Lieutenant Colonel Johnson still over there?

Mr. EMERSON. No; Mr. Stevens and Mr. Johnson returned I believe, in the past month.

Mr. JAMES. You said when you were in Omsk you made a full report to some one when you got back to Omsk. To whom did you make this report?

Mr. EMERSON. I made a full report to Admiral Knight. I do not know that I exactly got that question.

Mr. JAMES. When you came back with the Czechs from Siberia when you got back to Omsk, you made a full report to somebody. Was that to the American consul?

Mr. EMERSON. I made a full report to General Graves and Admiral Knight, and Mr. John F. Stevens.

Mr. PARKER. He says when you got back to Omsk.

Mr. JAMES. Yes; when you came back to Omsk?

Mr. EMERSON. I made that report to the ambassador, Mr. Morris, in Japan, and also sent a copy to Mr. Stevens.

Mr. PARKER. You said when your uniforms were sort of worn out you were given the same type—I understood you to say when your uniforms were partly worn out, you got new uniforms of the standard type.

Mr. EMERSON. They were of the standard type; yes, sir.

Mr. PARKER. Who gave them to you?

Mr. EMERSON. I purchased the cloth; I ordered the cloth through Mr. Felton and it was forwarded to us and I got Chinese tailors and had the uniforms made at Harbin.

Mr. PARKER. Who gave the instructions they were to be made of the standard type?

Mr. EMERSON. Mr. John F. Stevens.

Mr. McKENZIE. Did you have to pay for these uniforms, or were they furnished?

Mr. EMERSON. They were furnished.

Mr. PARKER. But you made them yourselves?

Mr. EMERSON. Yes.

Mr. McKENZIE. Are there any questions? If not, we are much obliged to you, colonel.

Mr. EMERSON. I have a great deal of data here, if you gentlemen would like to have it.

Mr. McKENZIE. If you have anything you would like to have go in the record, we would be glad to have you put in anything that would throw light upon this subject.

Mr. EMERSON. There are possibly some things here which might throw light upon it.

Mr. McKENZIE. Just select the different things you would like to have put in the record, and give them to the stenographer.

Mr. EMERSON. Well, I do not know. Mr. Chairman, I would be glad, of course, to have your advice on it. There is a letter I have here that was written by Mr. Stevens to a representative of the Japanese Government stating the purpose of the organization of the corps, etc.

Mr. McKENZIE. We will be glad to have that go in.

Mr. EMERSON. If you care to have that, I think it might throw some light on the proposition.

Mr. PARKER. I think that is important.

(The letter referred to is as follows:)

YOKOHAMA, March 5, 1918.

His Excellency VISCOUNT MOTONO,

*His Imperial Japanese Majesty's Minister for Foreign Affairs, Tokyo.*

SIR: I have the honor to set forth to your excellency the motives and aims which impelled the Government of the United States in sending to Russia the advisory commission of railway experts and also the Russian Railway Service Corps, a section of which latter is now at Harbin.

Upon the entrance of the United States into the war, in April, 1917, the questions arose as to how and in what most profitable manner the United States could, either by its credit or personnel, most quickly and efficiently aid its allies, among them being Russia, in prosecuting the war for universal liberty to a speedy and right end. As it was well known that, owing to the extraordinary demands which two years of war has made upon the railways of Russia, such railways were strained almost to the breaking point, and as a well-ordered and thoroughly efficient system of railway service is, perhaps, the most important of all aids to military success, the question at once arose as to what could be done to place the Russian railway system in shape to become a potent aid in the conduct of her war operations.

The then provisional government of Russia, realizing fully the imperative need of better transportation than it possessed, and realizing, too, that with its existing facilities and organization it must have quick and efficient assistance from its allies, requested the Government of the United States to send some of its practical railway men to Russia to advise with the provisional government as to what could be done to place the Russian railways in proper shape to carry on the war successfully.

In compliance with such request the Government of the United States, with the approval of the provisional government of Russia, appointed a commission of five of its well-known and experienced railway men, four of whom selected with especial reference to their experience along the lines of civil engineering, mechanical, bridging, and operation, and one, to be chairman, having a good knowledge of all of the above factors which enter into the construction and practical operation of railways. Of this commission I had the honor of being appointed chairman.

This commission, at once after appointment, received its instructions from the proper authorities of our Government and proceeded, by way of Vladivostok and the Siberian Railway, to Petrograd, arriving there early in June, 1917. Briefly, the instructions which the commission received and which it sought to carry out were to investigate, to its own satisfaction, as quickly as practicable, as to the condition of the Russian railways and to advise the Government as to what, in its opinion as practical railway men of experience, should be done to place the railways in an efficient condition.

The commission, immediately on its arrival at Petrograd, got in touch with the then minister of ways of communication, and with the cordial collaboration of himself and his railway staff, together with trips over various important lines, by personal investigation gathered a mass of valuable data, and after carefully considering the same was ready to indicate, by advice only, some specific changes in existing methods of operation and additions to plant and rolling stock which it knew would greatly improve the situation and place Russia in a much better condition to prosecute the war.

Owing to the frequent changes in the ministry and the generally unsettled feeling which prevailed among all classes, including officials, much time was spent in such preliminary study. But eventually a committee of Russian railway officials, members of the so-called technical board, was appointed by the minister of ways of communication to discuss with the American Railway Commission the various suggestions which the latter were ready to advance. As a result of such discussion, this committee recommended the approval in substance of all the suggestions of the American commission.

Among the most important of these recommendations were certain changes in methods of operations, conforming closely to those in practice in the United States, and which the commission believes has been proven by years of experience to be much superior to any practiced elsewhere in railway operation in the world. Certain changes in the operation of locomotive and car repair shops, whereby their output could be increased, thus reducing the large number of bad-order locomotives and cars, a very pressing need. A better system of purchasing and inspection of railway materials, together with the storing and distribution of same. A better system of car accounting and distribution and an increase in the per diem charges to be paid by shippers and consignees, to ensure a more prompt movement of cars. The installation of telephone train dispatching, same to be handled by each division as a unit, instead of the old and utterly obsolete method of each station master moving the trains in his



own immediate vicinity. The installation of modern methods of putting coal in locomotives. The introducing of hot-water plants to wash out locomotives, reducing greatly the delay to same. The lengthening of daily runs of locomotives by pooling, so called, instead of the assigning of locomotives, and other important changes which space will not permit the enumeration.

The minister of ways of communication approved in its entirety the recommendations and appointed an official as "commissaire" of the Siberian Railway, giving him absolute power over that line, to collaborate with the American commission in carrying out the approved recommendations. The reason why the Siberian Railway was selected to be improved first was that it was realized that with the closing of the Port of Archangel in winter and the dubious prospects for any substantial aid from the new so-called Mourmansk Line to the Arctic Ocean, the Siberian Railway was likely to become the only line of communication between Russia and her allies, a vital point and one absolutely necessary to place in an unassailable position.

In addition, the commission recommended to its Government—that is, to the United States—that the latter extend credit to a very large sum to the Russian Government for the purchase of locomotives, cars, and other railway equipment, the same to be given preference in time of delivery.

The minister of ways of communication, after due consideration, announced that while he wished to introduce the American system of operation, his staff was not competent to do it, that they must be instructed in the details and asked the commission if the United States could not send over some experienced men to act as instructors to the Russian officials and their subordinates. The commission demurred, telling him that the United States had sent many of its best railway men to France and that it would be a difficult matter to furnish more for Russia. Finally the minister of ways of communication put such request in writing, and the commission recommended to the authorities at Washington that the request of the provisional Government of Russia be complied with, if possible. And so after the necessary time to secure the services of such men as could best act as necessary instructors had passed, a contingent of the ablest operating engineers in America was organized as a branch of the United States Army and designated as the "Russian Railway Service Corps," and sent to Russia to act as instructors to the Russian railway men. All this strictly in compliance with the request—which originated with itself—of the Provisional Government of Russia, which had shown its anxiety and good faith by assuming the entire expense of such Russian Railway Service Corps by placing in advance of any expenditure by the United States for such purpose ample funds to cover any and all costs of the Corps in the United States and Russia.

It was thoroughly agreed, in writing, between the two Governments that the employment of these men by the provisional government was merely of a temporary nature, and that the United States would recall them at any time it chose and in any event when they had imparted the necessary instruction to the Russian railway men. For this reason, as well as for proper discipline, they were made a part of the Regular Army and placed under military regulations.

The corps, numbering in all 288 men, reached Vladivostok shortly after the overturn of the provisional government, and found such conditions of disorder prevailing along the line of the Siberian Railway that it was not deemed wise to permit them to proceed west over the line to begin their duties. So the corps was taken to Nagasaki, where it could be properly quartered, and among our Japanese friends.

Recently 100 of the corps have been sent to Harbin with the hope that, owing to the good order now being maintained along the Chinese Eastern Railway, they could do something of the work for which the provisional government requested their services and provided the funds to pay for. The remainder are still waiting at Nagasaki in the hope that good order may be restored along the line, so that they can safely and efficiently carry out the altogether unselfish purpose which brought them across the ocean, away from their homes and families.

The plan comprehended that after the men on the Siberian line had been instructed, the instructors were to be moved west and south, so as to cover by instruction all the important lines in Russia, the operation of which was a prime factor in the conduct of the war.

I have gone to considerable length to set forth to your excellency the exact facts in regard to the American Railway Commission to Russia and the Russian Railway Service Corps, under the command of Colonel Emerson, who is himself one of the high officials in the railway world of the United States, and who has, as in fact were all of his men, chosen for conspicuous ability in purely railway operation, not one of them being a military man.

In regard to the instructions which this commission received from the Government at Washington on entering upon its duties last May, which instructions have never

been revoked or changed in the least, it is proper to say that they specifically and categorically define that the single purpose of the commission—and the Service Corps also, as the latter is subject to the orders of the commission—is to aid by advice the Russian Government and people in order that the war against the Central Powers may be conducted to a victorious close in favor of the Allies, and that in the deplorable event that Russia concluded a separate peace with the Central Powers, the advice and assistance of the United States would no longer be given to Russia.

I trust the very frank and absolutely correct statement which I am now concluding will show to your excellency the wholly unselfish motives—other than the absolute necessity of winning the war, which wish your honored Government shares in common with her allies—which actuate the Government of the United States and all of its people, in trying to extend to the sorely stricken people of Russia the aid and comfort which is always due to unfortunate humanity from the prosperous and happy people of such countries as you and I are privileged by a higher power to owe allegiance to.

I have the honor to subscribe myself as,  
Very respectfully yours,

Chairman.

Mr. JAMES. If this bill passes, do you take it that it should also provide an honorable discharge to the men of the Baldwin contingent?

Mr. EMERSON. I beg pardon.

Mr. JAMES. Have you read this bill, S. 28?

Mr. EMERSON. I saw that this morning for the first time—S. 28.

Mr. JAMES. Would that provide an honorable discharge for the men of the Baldwin contingent as well as yourselves?

Mr. EMERSON. I do not know the purpose of the bill. I believe Mr. Best could best answer that. I have been very busy since my return from Siberia learning a new railroad and a new position. It is like transplanting an old tree; I had to start all over again.

Mr. QUIN. We had some correspondence from that gentleman you mention, I think, some man by the name of Spears.

Mr. EMERSON. Yes, sir.

Mr. QUIN. Do you know him personally?

Mr. EMERSON. Yes, sir; he was a member there.

Mr. WURZBACH. You did not have any financial gain, did you, from this service, considering the fact you had been receiving \$20,000 a year when you went into it?

Mr. EMERSON. No. I came back and started life just over again. What investments I had prior to my departure, as many others did during the war, went bad. I lost practically everything I had, and after I came back I was just about where I was when I started as a young man.

Mr. WURZBACH. About how long did it take you to get a position, if that is a fair question?

Mr. EMERSON. I was out of work, I believe, for less than a month. Mr. Willard, who is president of the Baltimore & Ohio Railroad, offered me the position at the head of their mechanical department, and I accepted. In fact, I was out of a position; I had to do something.

Mr. McKENZIE. Are there any other questions? Mr. James, do you want to ask any other questions?

Mr. JAMES. No.

Mr. EMERSON. Gentlemen, I have found that memorandum that I submitted after the armistice was declared, the one from Mr. Stevens stating that it was vital that we carry out the work, regardless of the fact that the war was over. Lots of us knew, of course, that men at our positions in the United States were gone, and I submitted this proposition to all the men and without exception they signed it:

"For reasons at this time made known to me by Colonel Emerson, commander in chief of the Russian Railway Service Corps, or his representative ———, I hereby declare myself regarding the following questions:

"1. In the event of the Russian Railway Service Corps being ordered to take over the operation of the Siberian or Russian railways, I will do my part in the carrying out of such order to the best of my ability. ——— (Yes or no.)

"2. If, after peace is declared with all of the Central Powers with which the United States of America is at war, my Government desires to continue to operate the railways of Siberia or Russia, I will agree to continue to perform my duties and carry out the orders given by the approval of the commandant of this corps until such time as I can be relieved from the service without discredit to the corps. ——— (Yes or

no.) The understanding being that on my request for honorable discharge that relief will be furnished at the earliest possible date thereafter.

(Signature) \_\_\_\_\_.

Gentlemen, the war was over and every man signed it. It was at the request of Mr. Lansing.

Mr. QUIN. He was Secretary of State of the United States Government at that time?

Mr. EMERSON. Yes, sir.

I have here the informal talk by Ambassador Morris to members of the Russian Railway Service Corps at Harbin, January 28, 1918, in which he stated he vitally wished for the men to remain loyal and to continue until the railroads were in shape to function. I would like to submit that in evidence, if I may.

Mr. McKENZIE. All right; just give it to the stenographer.

(The paper referred to is as follows:)

INFORMAL TALK BY AMBASSADOR MORRIS TO MEMBERS OF THE RUSSIAN RAILWAY SERVICE CORPS, HARBIN, JANUARY 29, 1919.

Colonel Emerson, I am glad to visit the service corps; it is only a little more than a week over two months since I was here in Harbin before and had the opportunity of having a little talk with you at that time. Those two months have certainly been packed full of worldly events. We could hardly realize on the 23d of October how soon the Central Empires would collapse taking with them problems that were as serious as the problems that the Allies had to contend with during the time of the war. I do not believe any of us could have prophesied at that time that within comparatively few days events would move so rapidly and that the elaborate structure which had been built up by German intrigue for a period of 40 years would simply fall to pieces and leave that nation in a serious state of disorganization and revolution.

Of course, with the signing of the armistice and the opening of peace negotiations many of the problems that faced the allied nations took on an entirely new aspect and had to be reconsidered.

You may recall that when I was here two months ago I told you that I was on my way back to Tokio, and hoped by formal negotiations and conversations we might make some progress in the solution of what was then a sufficiently serious problem—the problem, primarily, Siberia, and secondly, pertaining to the Russian people both in Siberia and European Russia. I confess that I hoped at that time that those conversations and negotiations would not cover a period anywhere like two months, but the signing of the armistice brought up an entirely new angle which necessarily delayed our conversations and our negotiations far beyond the period that I had expected.

As the President has pointed out, perhaps you have noted one of the first problems that the associated governments had to consider when they met at Versailles was, first, what attitude should be taken toward this very serious situation in Russia as a whole, and that is the reason that it had changed the subject under consideration. Ever since they met for the first time, some two weeks ago, it is interesting to us to read in the last few days, the general attitude toward that problem which has been advocated by the President has now been accepted by all of the associated governments.

During the two months that I have been in Tokio my thoughts have been constantly with you men here, not only my own thoughts, but I know that our Government—the President before he went to Paris and since he has been there—that our State Department has been increasingly appreciative of the stand which you have taken, the patience which you have shown, and the very real help which that patience has been to our Government in helping the solution of the Russian problem as it relates to Siberia and the eastern portion of that old Empire.

I know that you have already received direct communication from the department of its appreciation of what you have done to help, and I do want to tell you that your presence here, the knowledge that you have acquired of the situation, the willingness that you have shown to wait patiently until the time should come when we could concretely show something of the spirit of service and helpfulness which our Government has publicly proclaimed as its policy toward Russia, has been the essential factor in what we believe is the first solution of that problem in Siberia. If you had not been here during this year, we would have been powerless to put into effect the beginning of the policies the President has so much at heart. With you here we have been able to make the first move, and that first move is the one I am now on my way to Vladivostok and hope that I can cooperate with the representatives of the associated governments in putting into actual action, and I tell you it was gratifying when

My request for instant sent me from Washington a cable which was signed in the name of  
 the date therefore person and you men by Mr. Stevens, saying that "Everyone of you stood  
 (Signed your part as soon as the Government called upon you for active service."  
 man signed it. It to give you one word of explanation about the nature of the problems  
 the railways which is your immediate interest that the associated govern-  
 taken over for operation. We all feel, and I think, that if the American  
 could have gotten in at the beginning and given a free hand to use the  
 you men, who volunteered in your country's service for that purpose to  
 railways into shape, that Siberia to-day would not be facing the suffering,  
 and the disorganization which has accompanied the breakdown of her  
 stem, and I suppose that Americans are bold enough to believe that by  
 men of our service corps a fair chance they could have done the job and  
 in entire satisfaction.

Within the course of two or three weeks we may have organized sufficiently,  
 plan which has been practically agreed to by the associated nations, an  
 ability under the leadership of men who have been the leaders, workers,  
 makers with you here in the service corps, a force that will carry the recon-  
 of these railroads through and solve, in my judgment, 75 per cent of the  
 of the Siberian situation in that great task which you are doing for the  
 home and at their request in an effort to help the Russian people, which  
 the real unselfish aim of our fellow Americans.

It is necessary to say that my every good wish goes with you in entire confidence  
 could not find anywhere else a group more competent to perform that work  
 and well.

EMERSON. Did anybody in the Army, anybody connected with the War Depart-  
 ever tell you you would be members of the Army?

EMERSON. Anybody in the War Department?  
 JAMES. Yes; did anybody in the War Department ever tell you you would be  
 of the Army?

EMERSON. I did not meet any of the officers. The only man I met was Mr.  
 and, as I stated, I was with him less than an hour. As Mr. Vaucain, who was  
 he, expressed it, he said, "Emerson, you have been selected. Organize your

You have three weeks to do it, and get out of the country. I do not want to  
 anything from you." And that is what I did. I did not ask any questions.

I do not know anything about military affairs. All we want now, and I think we are  
 led to it, is that we be given a little credit, and that you give us an honorable  
 large so that we can say at least we tried to do our bit.

MILLER. You were in no mood to ask any questions; you wanted to do some

EMERSON. Absolutely. I was told this, gentlemen, not once, but a dozen  
 by Mr. Willard, by Mr. Felton, and by Mr. Vaucain, "The organization of the  
 Russian Railways has broken down. There are vast supplies of material and muni-  
 that we must move to the Russian Army. If we do not, they are going to lay  
 on their arms and, in that event, 2,000,000 men will be available for the other  
 at, and you know what that means." And you know that did occur and, gentle-  
 men, we know what almost did occur. They just saved their necks by an inch.  
 that is all.

Mr. McKENZIE. If there are no further questions, Colonel, you may submit such  
 papers as you wish for the record, and the committee will stand adjourned until 10  
 o'clock, Tuesday.

(The following letters were submitted for the record by Mr. Emerson:)

HARBIN, November 27, 1918.

Col. G. H. EMERSON,  
*Commanding Russian Railway Service Corps, Harbin.*

DEAR COLONEL: The situation as regards the American railway men taking charge  
 of the operation of the Siberian Railways, including the Chinese Eastern, is still one  
 of waiting, and while the delay in reaching a decision is very tedious, it must be borne  
 with all the patience we can exercise.

It is all important that, especially at this time, all members of the corps under-  
 stand that our Government at Washington is pushing matters constantly and as hard  
 as diplomatic policies will permit. I have recent cables from our State Department  
 that our Government has not changed its attitude in the least, in insisting that the  
 corps be placed in charge, and I have reason to know it is confident that such an  
 arrangement will be effected soon.

I want the members to understand the situation, which is that all of our allies, with  
 one exception, have approved the plan \* \* \*. Right now, as never before, we

want and must have their cheerful cooperation, and I feel, like true Americans, as they all are, that we have it and will continue to have it as long as necessary. I know the conditions are not pleasant, but our Government is depending upon us to stand by, and I am fully authorized to say that no man will be the loser for his loyalty.

When the matter is finally settled, we can then discuss any changes that may seem reasonable and just, but at the present time it might be fatal to our plans if any disintegration were permitted to creep into the force. Therefore the situation should be frankly placed informally before the members of the corps, and I am certain they will understand matters and the necessity of keeping our standing on a level basis.

Our Government expects and feels that every man will do his duty, and that is now to patiently await the outcome of events.

Sincerely yours,

JOHN F. STEVENS, *Chairman.*

HARBIN, December 1, 1918.

Col. G. H. EMERSON,

*Commanding Russian Railway Service Corps, Harbin.*

DEAR COLONEL: I am in receipt of the following cable, under date of November 26, from the Department of State, Washington:

"Through these tedious negotiations, the department appreciates your courage and patience and also that of all members of Russian Railway Service Corps. The Government's admiration and respect for their maintenance of good conduct and discipline under exceptionally trying circumstances has been aroused as it must have aroused the confidence of the Russians, to whom they have devoted their services. You may say to the men that the American Government is making every effort that their prolonged activity may be terminated. The American Government considers that an important part of its obligations to assist Russia and the Russian people was represented by its undertaking to organize the Railway Service Corps."

I have replied to the department that we all thoroughly appreciate the efforts it is making toward the end that we all expect, and I know all the members of the service corps will join me in feeling that in every way it is our plain duty to continue to show to the department that we thoroughly trust it and that its confidence in us will not be misplaced.

Sincerely yours,

JOHN F. STEVENS, *Chairman.*

#### RUSSIAN RAILWAY SERVICE CORPS.

UNITED STATES SENATE,  
COMMITTEE ON MILITARY AFFAIRS,  
*Washington, D. C., Friday, May 23, 1920.*

The committee met, pursuant to call, at 10.30 o'clock a. m., in the committee room, Capitol, Senator James W. Wadsworth, jr., presiding.

Present: Senators Wadsworth (presiding), Warren, Sutherland, New, Knox, Chamberlain, Myers, Thomas, and Beckham.

Also present, Senator Miles Poindexter, Mr. C. A. Decker, and Mr. B. H. Nixon.

The committee met to consider S. 3865.

The CHAIRMAN. The committee will come to order.

The committee has under consideration Senate bill 3865, introduced by Senator Poindexter, providing for the men and officers in the Russian Railway Service Corps, the status of enlisted men and officers of the United States Army when discharged.

At the last meeting the committee thought it would be wise to have a representative of the State Department come here and tell us about that corps and its status. We shall be very glad to hear you, Mr. Decker.

#### STATEMENT OF MR. C. A. DECKER, REPRESENTATIVE OF THE INTERALLIED TECHNICAL BOARD, CONNECTED WITH THE RUSSIAN DIVISION, STATE DEPARTMENT.

MR. DECKER. First, I should like to present a letter from the Secretary of State, which he wrote and signed last night, but which has evidently not yet been delivered. This is a copy of the letter addressed to the chairman of this committee. It gives the views of the State Department in regard to this.

The CHAIRMAN. It is not a long letter. I will read it and have it appear in the record at this point.

(Omitted.)

The CHAIRMAN. I will also read the bill recommended by the department.  
(Omitted.)

The CHAIRMAN. That is a suggested substitute for S. 3865.

Senator KNOX. The only difference between the Poindexter bill and that is that that covers the officers, otherwise they are along parallel lines.

Senator WARREN. It leaves out the enlisted men and also provides specifically for the insurance.

Senator POINDEXTER. That expresses what I intended in the bill; it says they are entitled to benefit under the war risk compensation act.

Senator THOMAS. What is the Russian Railway Service Corps?

Senator POINDEXTER. May I answer that question?

The CHAIRMAN. Yes.

Senator POINDEXTER. The Russian Railway Service Corps was a body of railroad men that were organized in the fall of 1917 under the authority of the President of the United States, by the War Department, and sent to Siberia.

Senator THOMAS. Under Stevens?

Senator POINDEXTER. I think after they got there they served under Stevens, but technically they were under the command of Col. George H. Emerson. I should like to exhibit to the committee the kind of appointment that these men received. There is a letter from The Adjutant General appointing Mr. Ben Harrison Nixon second lieutenant in the Russian Railway Service Corps.

(See page 21, part 1, of hearings.)

Senator CHAMBERLAIN. May I suggest to the Senator, if he has it there, that he also introduce with that the advertisements which the War Department put out to induce these young fellows to go into the service?

Senator POINDEXTER. Yes; I will do so.

Senator THOMAS. How many men are included in this proposed legislation?

Mr. NIXON. Two hundred and fifteen railroad men, and 17 of the Baldwin Locomotive Co.

Senator POINDEXTER. Perhaps we had better hear from Mr. Decker further.

Mr. DECKER. I have a statement I should like to make to the committee, as follows:

The American Railway Commission, which was sent to Russia by the President in May, 1917, for the purpose of improving, if possible, the transportation situation in Russia and particularly on the Trans-Siberian Railway in order that supplies for the then existing eastern front which were being brought into the country via Vladivostok could be moved with some degree of regularity and in the quantities necessary, made certain recommendations to the Russian authorities among which was included a change in their methods of operation to those used on American railways. In order to put these recommendations into effect, the provisional Russian government requested the United States Government to send to Russia about 215 railway operating and shop officials to act as instructors to the Russian railway men. In transmitting this request to the State Department, Mr. John F. Stevens, who was chairman of the American Railway Commission, requested that the men be organized as a skeleton engineering unit of the United States Army, but also stated that the provisional Russian government desired to pay the salaries and expenses of the instructors. As it was not possible under the law for any members of the United States Army to accept remuneration from a foreign power, it was agreed in the departments here that these instructors should be organized as a special corps outside of the Army, and on this basis the Secretary of War authorized the organization of the Russian Railway Service Corps September 22 and October 9, 1917. These men all held positions of an official capacity on American railways, and in order that they should have the necessary prestige in their dealings with the Russians they were given military rank and grade corresponding to the grades held by similar officials in Russian employ. While their status was, undoubtedly, well understood in Washington, it was not so with the men themselves.

They believed that they were being recruited for service in a detached corps of the United States Army and made their applications for examinations for commissions on the regular form of the Engineer Officers' Reserve Corps. They were originally uniformed similar to United States Army officers with the exception that they wore a rolled collar and the letters "R. R. S." instead of "U. S.," and according to the statements of the men they understood the rolled collar was about to be adopted by the Army and they were the first to wear it. The recruiting of the corps in this country was done under the direction of the Director General of Military Railways, who appointed Mr. George H. Emerson, then general manager of the Great Northern Railway, as colonel, and requested him to secure the men for the corps. Mr. Emerson

arranged with each of the railways of the northern to furnish a quota. I would like to read the bulletin posted by the Spokane, Portland & Seattle Railway in its efforts to secure its quota, which would give the impression that the men accepted were to be officers in the Army.

(Omitted.)

I would also like to read a letter written by Mr. Emerson to me on February 25 of this year, in which he gives information regarding the organization of the Russian Railway Service Corps, and makes a request for recognition of the services its members rendered.

(See page 5 of part 1 of hearings.)

In addition to the 215 men already mentioned, there were 73 locomotive erection foremen who were supplied by the Baldwin Locomotive Works under an agreement between the provisional Russian Government and the Baldwin people which was entered into at the instance of the United States Government, as an act of accommodation to the provisional Russian Government in assisting it in the war. This contract called for the fitting up and equipping of a plant at Vladivostok with the necessary tools and machinery for the erection of locomotives which were being built for Russia by the Baldwin and American Locomotive companies. This plant was to turn out not less than 10 locomotives a day and its erection was one of the important recommendations of the American Railway Mission. The men furnished by the Baldwin Co. to take charge of the erection of these locomotives were paid by the provisional Russian Government through the Baldwin people. They were uniformed and commissioned in the Russian Railway Service Corps for the purpose of cooperation with the railroad unit and for their protection.

The entire corps sailed from San Francisco on November 18, 1917, and arrived at Vladivostok December 13, 1917. While they were en route the Bolshevik forces in Russia and Siberia succeeded in taking over control of the country, and it was therefore impossible to proceed with the plans, as agreed upon with the provisional Russian Government. The corps was taken to Nagasaki to await developments, and in March of 1918 half of the railroad men were sent to the Chinese-Eastern Railway, which is a part of the trans-Siberian system running through Manchuria and from which the Bolsheviks had been deported by the Chinese. The Baldwin contingent was returned to the United States in April, 1918, as it was found impossible, on account of the unsettled conditions at Vladivostok to proceed with the erection of locomotives there. In August, 1918, the remaining members of the corps at Nagasaki were brought to Vladivostok after the Czecho-Slovak troops had taken over control of that port and the railway between Vladivostok and the Manchurian border. On arrival of the American military forces and the Red Cross the corps assisted in the establishment of their bases, unloading ships, loading warehouses, and building roads, and at the same time assisting Russians in the operation of the railway, and later, when the allied powers took over control of the railway, they were distributed over about 4,000 miles of railway as far west as Omsk, where they remained assisting the movement of supplies, troops, etc., to Kolchak's army and for the allied forces protecting the railway. They remained along this line until the defeat of Kolchak's forces and the evacuation of the allied troops, in which latter work they have been engaged until lately. In January seven officers of the corps were captured and held prisoners for two months by the Bolsheviks. As all of the allied troops, with the exception of the Japanese, are now out of the country or at Vladivostok awaiting ships, the corps has been ordered home and it is due to sail from Vladivostok about the 15th of June. Out of the 215 original members 42 are still with the corps and of 121 replacements secured during 1919 for such men as desired to return home 63 remain. The men secured to replace the original members of the corps were clearly informed of their status before leaving this country.

The majority of this corps were over the draft age or exempt from the draft because of family ties, and there never was any question, to my knowledge, of the purely patriotic motives which inspired them to volunteer for this service. They undoubtedly had no idea that they were not joining the forces of the United States, and I am practically sure that none of them knew that they were being paid from Russian funds. I was with Mr. John F. Stevens, who had charge of the work in Russia and Siberia, when he asked for these men, when they arrived and for two years thereafter, and know that he asked for and thought he was receiving a corps of United States Army Engineers, and he did not know otherwise until he cabled Washington for information as to their status. But aside from this misunderstanding, I am speaking for the State Department and Mr. Stevens, when I request that the services which they rendered to the best of their ability be recognized by our Government in the form of an honorable discharge from the United States Army.

As regards insurance, war-risk-insurance policies were issued to the members of the corps shortly after their arrival in Siberia, but were later canceled, and I understand that when these policies were issued some of the members canceled the commercial policies they were carrying, and in the case of a Lieutenant Terry, who was one of these and who later died in service, I have been informed that his wife was practically penniless and is having quite a struggle for the existence of herself and children.

In conclusion, I ask for favorable consideration by the committee of this bill. I understand that the War Department has reported against it, but I fully believe that the commanding officer of the Siberian expedition and the members of his staff, who were acquainted with the work of the corps, would favor it. I might add that the uniform with the roll collar was discarded in 1918 and the regulation uniform of the United States Army officer used thereafter, except that the letters R. R. S. were still retained, and the replacements recruited and sent over by the Chief of Engineers wore this uniform.

The corps served in a foreign country in American uniforms, as Americans and for the common cause, and now have nothing to show for their sacrifices. They volunteered in response to an appeal of their Government and served the Government as it saw fit to use them.

The CHAIRMAN. In view of the fact that other members of the committee have come in since reading it before, I will again read the letter of the Secretary of War, of date May 27.

(The letter heretofore appearing in the record was read by the chairman.)

Senator POINDEXTER. Mr. Chairman, I should like to comment on that letter. He says the effect of the bill would be to require the payment of a bonus to these men; that is intended to be the effect of it. We contend that these men, being led to believe by the War Department at the time they were enlisted or commissioned, that they were a part of the Army, and being under military command and having military rank given them, and the arduous services they performed, there is nothing unjust in allowing this \$60 bonus which other discharged men have received.

The Secretary of War states in his letter that they were rather serving under the Russian Government; that they were a Russian corps.

Now, to show how much afield the War Department is on the subject, instead of their being under the Russian Government, or a Russian corps, here is the appointment, a sample appointment, sent to Mr. Ben Harrison Nixon as lieutenant in this corps, which I will read.

(Omitted.)

There is nothing there about the authority of the Russian Government. It is an appointment under the authority of the President of the United States.

Senator THOMAS. He must mean they were paid by the Russian Government.

Senator POINDEXTER. He says, though, it was a Russian corps, and I have letters myself in which they claim that, and they have also claimed, which is utterly inconsistent with that position and also inconsistent with the appointment by the War Department, that it was a State Department organization.

Senator KNOX. If they were paid by the Russian Government, that was an arrangement between the Russian Government and this Government, not between the Russian Government and these men.

Senator POINDEXTER. Certainly.

Senator WARREN. It does not appear yet whether they were paid by the Russian Government.

Senator POINDEXTER. They were to pay it, yes.

Here is the discharge.

Senator CHAMBERLAIN. Just before you read the discharge, let me refer to another clause of that letter of the Secretary of War. He says that Mr. Felton, who was the director general of the Russian railway system, does he not?

Mr. DECKER. The director general of military railroads.

Senator CHAMBERLAIN. That he opposed the bill.

But I just want to read two telegrams that rather contradict that statement in a measure. Colonel Emerson, on the 15th of November, 1917, wired Felton and said:

"I have request from all officers that they be allowed to wear the standard insignia of rank. The lack of same has caused a great deal of comment since our arrival at San Francisco, and would cause much better feeling if it could be arranged. Please answer."

Felton wired, in answer to that, on the 16th of November, 1917, and said to General Green—was he not the general commanding?

Mr. DECKER. He was transportation assistant to Felton.



Senator CHAMBERLAIN (reading):

"No objection to wearing insignia. Adjutant General has wired General Duval about transports for Russian mechanics. Let me know if any further action necessary."

These telegrams seem to indicate these men understood they were to be officers as well.

Senator POINDEXTER. Here is a discharge from the office of the Director General of Military Railways, War Department.

(Omitted.)

Senator POINDEXTER. Here is another indication that the War Department acted as the sponsor and the organizer and the commander of these men, being a communication from The Adjutant General's Office, of date June 13, 1919, on the subject of resignation, as follows:

(Omitted.)

He did not accept the resignation in the name of the Russian Government.

To show the inconsistent position which the War Department has taken, after having claimed that they were in the service of the Russian Government, and after having appointed them under the authority of the War Department and discharged them under the authority of the War Department, they take the still further position that they were neither in the service of the Russian Government nor the War Department, but were in the service of the State Department as civilian employees of the United States.

Here is a letter from the War Department, from J. W. Wright, colonel of Engineers, as follows:

(Omitted.)

The same writer, the same officer, in a letter dated June 6, 1919, to Ben H. Nixon, makes this further statement:

"The Russian Railway Service Corps was organized during the latter part of 1917 for service on the Siberian Railway. The organization was formed in pursuance of a request made by the de facto Russian Government to the State Department, and the corps was formed as a State Department organization.

"In view of the fact that the State Department had no facilities for gathering together men with railway experience, it requested the War Department, which was then securing such men for service in France, to undertake, in addition, the formation of the corps and the work was carried out in pursuance of this request. The corps was given a military organization and uniformed, because of the fact that a person in uniform can do business much more easily in the Far East than can a civilian, and further because the wearing of a uniform might afford some protection in case of contact with the enemy.

"To carry out further the militarization, the members of the corps were given letters of appointment signed by The Adjutant General of the Army. These letters of appointment resemble in no way the commissions granted to officers of the United States Army and do not in any way serve to make the holders thereof members of the United States Army, nor to place them under the War Department. As stated above, the organization is under the control of the State Department. War-risk insurance was at first granted to some of the members of the corps on account of a misapprehension on the part of the Treasury Department as to the status of the organization."

That indicates to some extent the confused state of mind of the War Department as to just what status this corps occupied.

Mr. Nixon is here and would like to make a brief statement.

#### STATEMENT OF MR. B. H. NIXON, OF OSKALOOSA, IOWA.

Mr. NIXON. Mr. Chairman and gentlemen of the committee, I am secretary of the Association Veterans of Russian Railway Service Corps, and was sent here by the members of this association to present to your honorable body their reasons why members of this corps should be granted the status as to honorable discharge from the War Department, also the benefits of war risk insurance and, in addition to that, compensation to be paid to relatives of deceased members of this corps.

During the fall of 1917 the railroads of this country, through various channels, appealed to the patriotism of their subordinate officials to volunteer for military service in Russia in order to facilitate the operation of the Russian railways by experienced railroad men in order to get the maximum possible service with the least possible delay, thereby facilitating the movement of supplies to the Russian Army and its allies.

This appeal was answered by men holding important positions with the railways, men of mature and advanced ages, nearly all of them having wives and children they

left behind, in order that they might be of assistance in helping to bring the war to a successful conclusion.

These men in most instances were above the draft age, their salaries at home were more than they received while on this expedition, and there could be but one motive for them taking the action which they did take, and that, gentlemen, was the love of their mother country.

It was the positive understanding of all, and was impressed upon us at the time of enlistment, that this corps was to be and would be considered in all respects as a part of the United States Army. It was also explained to us that the reasons we were not given a regular commission at that time was on account of the enormous amount of work going on at Washington and that the commissions we did receive were but temporary and would be replaced by the regular commissions as soon as it could be done.

Senator CHAMBERLAIN. Were those representations in writing from the War Department or anyone in authority?

Mr. NIXON. No, sir. The general talk in the St. Paul offices where we were organized.

Senator CHAMBERLAIN. In the railway offices?

Mr. NIXON. Yes, sir.

We were also furnished with a uniform of the English style, which we were told was to be adopted shortly by the United States Army, and were furnished with Engineer's insignia, also two R. R. S. insignia, which was explained to us would be the same as the Engineer Corps which were being sent to France, with the exception that the corps sent to France would have the initials "F. R. S."

Before leaving San Francisco we were ordered to provide ourselves with hat cords and at Nagasaki, Japan, we were ordered to provide ourselves with shoulder bars.

This left no doubt in our minds as to our being a part of the regular United States Army, and the first intimation that such was not the case was the notification by our families that our war risk insurance policies had been recalled.

We received the regular military physical training while we were in quarters at Nagasaki and Harbin, and at Harbin we were required to do guard duty, on account of having no protection outside of what we could furnish ourselves.

At Vladivostok it was necessary for us to prepare the railways to the American Army base: we were assigned to various duties in conjunction with the Regular Army after their arrival in August, 1918, and we were assigned the duty of maintaining telegraph communication between Vladivostok and Manchuria City, the western terminus of the Chinese Eastern Railroad in Manchuria.

Our duties required us to work in the various stations along the Chinese Eastern Railway, which were in most cases typhus infected. It was necessary to ride back and forth on filthy, disease-infected trains in the performance of these duties, and those of us that were assigned to duty at Vladivostok Station daily witnessed the removal of numbers of typhus-infected people from these trains.

During this period our war risk insurance policies were canceled. We complained of this to our commanding officer, who was unable to change the conditions; but, on the contrary, an officer was sent to talk to us; and this officer led us to believe that the matter would be straightened out satisfactorily, and he informed us that Mr. John F. Stevens, who was in charge of the expedition, authorized him to say to us that "no man would be the loser by his loyalty."

I might add that at this same time we were furnished with the Regular United States Army uniform, together with the regular insignia "U. S." to be worn on one side of the collar and the "R. R. S." to be worn on the opposite side.

With the assurance given us by this officer that even though we did not receive the war risk insurance we would come under the pension act that was enacted for the benefit of the Civil War veterans in case of disability, we felt that our families would be taken care of in case of our inability, through disease or injury, to take care of them.

This has not been done. I might say that the widow of one of our men met us at San Francisco when we arrived with his body, and she told me personally that she had only \$5 to her name and was over a thousand miles from home. I ask you, gentlemen, if this is just reward to this lady who sacrificed her husband and home for the cause of patriotism, as she is now compelled to labor for her existence, whereas had the promises been kept that were made to us—that "No man would be the loser by his loyalty," she would have some insurance to help her along? I will also say, in connection with this case, that this man carried other insurance at the time of his enlistment, but after being granted the war risk insurance the balance was dropped, as he was unable financially to carry both. You see the result.

I will also say that three others of our men died in this foreign service from diseases contracted by hardships and exposure; another one is insane and is confined in the hospital and his family left to their own resources. In time to come there are going to

be others who will show the effects of their exposure, and I am asking in the name of this association that some provision be made whereby they will receive the benefits to which they are justly entitled and which no fair-minded man can deny.

It can not be said that the voluntary offering of the members of this corps of their lives and all that goes with it was the result of youthful enthusiasm, but, on the contrary, it was a decision made after mature deliberation and a full realization of its uncertainties in all respects, and all we are asking for is that we be granted a status equal to the Regular Army; that the members who have clear records of service be granted war risk insurance, also an honorable discharge from the War Department, such as is furnished to enlisted men and officers of the Regular Army; and that a fair and equitable provision be made for the dependent relatives of the deceased members of this corps.

Gentlemen, I thank you on behalf of myself and the men I represent for the opportunity of presenting their case to you, and I ask your honorable body for its favorable consideration.

The CHAIRMAN. Are there any further questions that members of the committee would like to ask?

Mr. DECKER. I should like to introduce the letter of application that was signed by the members of the corps.

Senator THOMAS. I suggest that this gentleman be requested to furnish copies of these.

Senator CHAMBERLAIN. I should like to make one statement about this. Some time prior to December 30, 1919, I had some correspondence with a constituent of mine, Mr. James Welch. He felt that the corps had not been quite justly dealt with, and he sent me some correspondence and some War Department inducements that had gotten him into the service. After having had quite a little correspondence with him, on the 30th of December, 1919, I wrote to Secretary Baker about the matter, and inclosed him Mr. Welch's letter to me under date of November 29, 1919, and a letter from The Adjutant General to me, dated November 26, 1919, and a letter of Mr. Welch to me, dated December 9, 1919, to which were attached first a bulletin-board notice dated October 5, 1917; that is, a War Department notice or a railway notice.

Senator POINDEXTER. Senator, when you speak of the railway notice, was not that the notice of these railway engineers that were organized as a part of the United States Army?

Senator CHAMBERLAIN. Yes; I think they were the same ones, were they not, Mr. Decker?

Mr. DECKER. There was a notice put out by the different railways at that request of Mr. Emerson, who was recruiting the corps at St. Paul, and it stated they would have military rank and title.

Senator POINDEXTER. Colonel Felton, as I understand it, was the organizer of the United States Railway Engineers, who were organized as a part of the Engineer Corps of the Army.

Senator CHAMBERLAIN. I am going to ask to have these put in the record.

I have just mentioned the bulletin-board notice dated October 25, 1917; that was to induce men to go into this service. Copy of letter of date November 1, 1917, from The Adjutant General to Mr. Welch; copy of an application for examination for commission in the corps; copy of a letter dated October 4, 1918, from the Chief of Staff; copy of letter dated October 4, 1918, from the Chief of Staff, American Expeditionary Forces, Siberia, to Col. G. H. Emerson, of the railway service, Vladivostok, Siberia.

(Omitted.)

Senator THOMAS. You say you have there a copy of the applications that were made?

Mr. DECKER. That is the same as these.

Senator THOMAS. Of course the stenographer will not duplicate them in the record.

Senator CHAMBERLAIN. In my letter inclosing these to The Adjutant General I stated:

"Taking all of these together, I think you will admit there is held out the implied promise, at least, of a commission to the men who went into the service, and if they acted under that belief it would seem to me that they are entitled to legislative or other relief in recognition of their service.

"I will be pleased to have you advise me in the premises, so that I may take the matter up with Mr. Welch, and if you think that legislation is necessary, I will be glad to confer with my associates here in that behalf."

In answer to that letter, The Adjutant General wrote me, under date of January 23, 1920, and I ask to have that letter go in the record as a part of this statement.

(Omitted.)

That letter was practically a repudiation of any responsibility on the part of the War Department for the services of these young men.

This correspondence refers to the case of Mr. Welch, but his case was exactly like the others that were in the service, so the history of his case is the history of all.

I think something ought to be done for the relief of these men, who have been inducted in by the State or the War Department, and it seems to me have been gotten into the service under some sort of false representations somewhere along the line.

I want that to go into the record to show the means used.

I should like to ask this, too: Is there any relief proposed to the enlisted men?

Mr. DECKER. There are no enlisted men in this corps.

Senator CHAMBERLAIN. None at all.

Mr. DECKER. No, sir.

The CHAIRMAN. If there are no further questions, that will be all.

We are very much obliged to you, Senator.

Senator POINDEXTER. I thank you, gentlemen.

The CHAIRMAN. We will now proceed in executive session.

(Thereupon, at 11.30 a. m., the committee went into executive session, and thereafter adjourned.)

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